

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40720 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- PANDARAK District- Patna

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Rajesh Kumar Late Binod Sao Village- Sahnaura P.S.- NTPC Barh District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :
For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Pandarak
P.S. Case No. 14 of 2023 registered for the offence punishable
under Section 392 of the Indian Penal Code.

As per prosecution case, informant's mobile and Hiva
vehicle was taken away by unknown miscreants.

Learned counsel for the petitioner submits that the
petitioner is quite innocent and has committed no offence. He is
not named in the FIR and his name has been surfaced in the
present case upon the confessional statement of co-accused
Mithun Kumar. There is no recovery from the petitioner and no
T.I.P. has been done. Except confessional statement of co-



accused, there is nothing on record to connect the petitioner with the alleged occurrence. He further submits that petitioner is languishing in jail custody since 31.01.2023 and has no criminal antecedent. Charge sheet has already been submitted in this case and there is no chance of absconding or tampering with the evidence. Similarly situated co-accused Ravi Ranjan kumar @ Kumar Ranjan @ Ranjan Kumar has been granted regular bail by a coordinate Bench of this Court in Cr. Misc. No. 35346 of 2023 vide order dated 07.07.2023.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M 1st, Barh, Patna in connection with Pandarak P.S. Case No. 14 of 2023 subject to the following conditions:-

(i) Petitioner will cooperate in trial and will remain present on all dates and absence of two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned trial court itself, and



(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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