

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40671 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- MAJHAULIA District- West Champaran

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BULET KUMAR RAM @ BULET KUMAR S/O EKBAL RAM Resident of
Kamal Pipra, P.S.- Paharpur, East Champaran.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rishabh Mishra

For the Opposite Party/s : Mr.Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 02-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 395 and 397 of the Indian Penal Code.

The allegation is regarding four unknown accused
persons having intercepted the informant, whereafter they are
alleged to have caught the informant and made him sit in a pick
up van, while some of the miscreants had cut the tractor from
the trailer, whereupon they had taken the tractor away.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. He further submits that the petitioner is not named in the
FIR. The name of the petitioner has been transpired during
investigation on the basis of the self-confessional statement of



the petitioner. Further submits that till date no TIP has been conducted by the prosecution. Further submits that the several co-accused persons, namely, Vikash Kumar Yadav, Anil Kumar and Arvind Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 23.09.2022, 23.12.2022 and 04.02.2023 passed in Cr. Misc. Nos. 38375 of 2022, 58870 of 2022 and 61570 of 2022 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 06.04.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Majhauria P.S. Case No. 54 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.1

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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