

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49465 of 2023

Arising Out of PS. Case No.-738 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Rahul Singh @ Kallu Son Of Sanjay Singh @ Sanjay Kumar Singh Resident
Of Village- Naini, P.S- Muffasil, Dist- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1,Advocate
For the Opposite Party/s : Mrs.Sharda Kumari,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 31.01.2023 in connection with Chapra Muffasil P.S. Case No. 738 of 2022, F.I.R. dated 09.10.2022 registered for the offence punishable under Sections 341,448,323,354(B),385,387,504 of IPC.

3. Allegation against the petitioner is that he alongwith other co-accused persons entered into the house of the informant, abused her misbehaved with her and tore her clothes. They demanded that the informant should pay Rs.30,000/- per month as ransom to them. Otherwise they will commit rape and murder of the girls coming to the coaching and get the coaching closed.



4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not involved in the present crime in question and from bare perusal of the FIR it appears that there is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 31.01.2023.

5. 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 seven more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. 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 C.J.M., Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 738 of 2022, with the following conditions:-

(I) 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.

(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.

(III) 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)

Nitesh/-

U		T	
---	--	---	--

