

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53622 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- DUMRA District- Sitamarhi

RAJU KUMAR SON OF BAIJU SAH RESIDENT OF VILLAGE -
PAROHA, WARD NO. 12, PS- DUMRA, DIST- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2023 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
05.04.2023 in connection with Dumra P.S. Case No. 180 of
2023, F.I.R. dated 04.04.2023 registered for the offence
punishable under Sections 413,414 of IPC.

3. The prosecution case, in short, is that on
04.04.2023 five persons including the petitioner were
apprehended and the confessional statement of the petitioner
was recorded and after the search one mobile phone was
recovered on whose confessional statement all other four
persons including the petitioner were arrested.

4. Learned counsel appearing for the petitioner



submits that the petitioner has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR as well as the seizure list that one looted mobile has been recovered from possession of the petitioner. Learned counsel for the petitioner submits that the same is not put on TIP as yet and except the confessional statement of the petitioner, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.04.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 180 of 2023, 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)

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