

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53941 of 2022

Arising Out of PS. Case No.-253 Year-2022 Thana- DEEPNAGAR District- Nalanda

Raju kumar @ Raina S/O Shankar Mistri R/O Village- Jorarpur, P.S-
Deepnagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 356 and 379 of the Indian
Penal Code.

According to prosecution case, while the informant
along with his family members were going to attend the
marriage on a Toto (auto) and as soon as they reached near
Kundalpur, two men riding on a pulsar motorcycle came from
behind and snatched the purse from the sister of the informant
and purse containing cash of Rs.5000/- and ornaments worth Rs.
2 lacs.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused namely Manish Kumar @ Buchcha. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner rather the recovery has been made from the bamboo orchard on the disclosure made by co-accused namely, Manish Kumar @ Buchcha. He further submits that till date no T.I.P. has been conducted by the prosecution. The police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Deepnagar P.S. Case No. 253/2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

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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