

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57833 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- BHAPTIAHI District- Supaul

=====

Randhir Kumar Roy @ Randhir Kumar @ Randhir Kumar Ram son of
Krishna Kumar Roy Village- Chhithi Hanuman Nagar, P.S- Bhaptiyahi Dist-
Supaul Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
06.01.2023, in connection with Bhaptiyahi P.S. Case No. 172 of
2022, F.I.R. dated 15.12.2022 registered for the offences
punishable under Sections 392, 342/34 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has been falsely implicated in
the present case. He further submits that the petitioner is not
named in the F.I.R. and name of the petitioner has been
transpired on the basis of Call Details Report and except the Call
Details Report, no other material has come during investigation



to suggest the involvement of the petitioner in the present occurrence and CDR of the petitioner was found on the ground that the petitioner is a resident of the same locality and hence the CDR of the petitioner was found near the place of occurrence. He further submits that co-accused person namely Subhas Kumar @ Subhash Mehta who was also arrested on the basis of CDR has been granted bail by a Coordinate Bench of this Court vide order dated 24.05.2023 passed in Cr. Misc. No. 28294 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.01.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in all the cases.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Bhaptiyahi P.S. Case No. 172 of 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 witness, 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 antecedents, 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)

Ibrar//-

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

