

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62337 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- RAFIGANJ District- Aurangabad

Satyendra Das @ Niraj Das @ Gora @ Binod Kumar @ Pankaj @ Ashok Son
of Late Yugeshwar Das Resident of Village- Pahra, P.S.- Paraiya, District-
Gaya(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Rafiganj P.S. Case No.110 of 2022 (G.R. No. 635 of 2022),
registered for the offences punishable under Sections 392 of
the Indian Penal Code (Subsequently, Section 395 of the
Indian Penal Code was added).

The prosecution case as emerges from the FIR is
that on 31.03.2022 at around 12:40 pm, when the
informant/Branch Manager, South Bihar Gramin Bank, Kajpa
was working in his branch, one unknown person came and
started assaulting him. Further, two more miscreants, armed



with weapons entered the branch and robbed a cash of Rs. 2,37,265/-.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR because the FIR has been lodged against unknown persons. He also submits that no T.I.P has been conducted till date. Investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 06.05.2022

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in thirteen other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. C.J.M., Aurangabad in connection with Rafiganj P.S. Case No.110 of 2022 (G.R. No. 635 of 2022), **after framing of charge, if not already framed** subject to the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than



the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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