

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8904 of 2023**

Arising Out of PS. Case No.-31 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

JHAMAN RAM S/O Raju Ram R/O Village- Jarigawa, P.S- Buxar  
(Mufassil), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar,Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      04-09-2023                      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  
23.01.2021 in connection with Buxar (M) P.S.Case No.31 of  
2021, F.I.R.dated 19.01.2021 registered for the offence under  
Section 392 of the Indian Penal Code.

3. As per the prosecution case, four accused persons  
looted the pick up van after hiring the same.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has clean antecedent and he has  
falsely been implicated in the present case. Petitioner is not  
named in the FIR. The name of the petitioner has been  
transpired during investigation on the basis of the confessional  
statement of co-accused person, namely, Rohit Kumar Ram and



on the basis of the confessional statement of co-accused person, namely, Rohit Kumar Ram, one vehicle in question has been recovered and one mobile phone has also been recovered from possession of co-accused persons and nothing has been recovered from conscious possession or the house of the petitioner and except the confessional statement of co-accused person, namely, Rohit Kumar Ram, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and said Rohit Kumar Ram has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 10.12.2021 passed in Cr. Misc. No. 26560 of 2021 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.01.2021.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and period of custody, 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.,Buxar in connection with Buxar (M) P.S.Case No.31 of 2021, 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/-

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