

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72515 of 2022

Arising Out of PS. Case No.-159 Year-2022 Thana- PASRAHA District- Khagaria

RAUSHAN KUMAR Son of Congresh Yadav @ Kangresh Yadav R/v-
Pitaunjhia, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
25.08.2022, in connection with Pasraha P.S. Case No. 159/2022,
G.R. No. 2383/2022, F.I.R. dated 24.08.2022, for the offences
punishable under Sections 392 of the Indian Penal Code.

According to prosecution case, three unknown
miscreants on the point of pistol, snatched Rs. 5,40,000/-, two
seal of C.S.P., three passbooks, Aadhar card and Pan card from
the informant and fled away.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent 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, Sumit Kumar and nothing has been recovered from conscious possession of the petitioner and till date no T.I.P. has been conducted by the prosecution. He further submits that the alleged Aadhar cards and Pan card have been recovered from the possession of the co-accused, namely, Sumit Kumar, who has been granted bail by J.J. Board, Khagaria and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.08.2022.

The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 Sri Inzamamul Haque, learned Judicial Magistrate 1st Class, Khagaria, in connection with Pasraha P.S. Case No. 159/2022, G.R No. 2383/2022, 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)

amit/-

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

