

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7579 of 2023**

Arising Out of PS. Case No.-469 Year-2022 Thana- WAJIRGANJ District- Gaya

Neeraj Kumar @ Neeraj Singh @ Neeraj Son of Jitendra Singh R/V- Punar,  
P.S- Atri, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

3      14-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail, who is in custody since 09.09.2022, in connection with Wazirganj P.S. Case No. 469 of 2022, F.I.R. dated 07.09.2022 registered for the offences punishable under Sections 395, 397 of the Indian Penal Code.

Allegations are that the informant with Khalasi was kidnapped along with his truck loaded with electric articles by four accused persons including the petitioner boarded on a vehicle. Thereafter, they unloaded the articles from the truck and then let them go.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case merely on the basis of suspicion. He further submits



that nothing has been recovered from the conscious possession or the house of the petitioner rather recovery has been made from other co-accused person and till date no test identification parade was conducted by the prosecution. He further submits that similarly situated co-accused person namely Subhash Kumar @ Prem Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 15.05.2023 passed in Cr. Misc. No. 12438 of 2023, another co-accused person namely Niraj @ Niraj Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 11.05.2023 passed in Cr. Misc. No. 16913 of 2023, another co-accused person namely Pawan Kumar @ Pawan Raj has been granted bail by a Coordinate Bench of this Court vide order dated 23.05.2023 passed in Cr. Misc. No. 25956 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 09.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one in which he is on bail in two cases.

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



ACJM 1<sup>st</sup>, Gaya in connection with Wazirganj P.S. Case No. 469 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)**

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