

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.541 of 2023

Arising Out of PS. Case No.-476 Year-2022 Thana- BUDDHACOLONY District- Patna

MD. RAJA S/O Shoukat R/O Sabzibagh, Fakirwara, P.S- Pirbhahore, District Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 26.09.2022, in connection with Budha Colony P.S. Case No. 476/2022, F.I.R. dated 26.09.2022, for the offences punishable under Sections 356, 379, 411, 34 of the Indian Penal Code.

According to prosecution case, the petitioner along with co-accused, namely, Md. Imran is alleged to have snatched the chain of the informant before Baldwin school.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing incriminating article has been recovered from possession of the petitioner



rather the recovery has been made from the co-accused person namely, Md. Imran. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 26.09.2022.

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, after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sayam Srivastava, J.M.1st Class, Patna, in connection with Budha Colony P.S. Case No. 476/2022, 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)

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