

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14950 of 2024

Arising Out of PS. Case No.-429 Year-2022 Thana- RAJAPAKAR District- Vaishali

Raja Singh @ Raja Kumar @ Divyanshu Kumar Son of Munchun Singh
Resident of Village- Sahit, Police Station- Vidhyapati Nagar, in the district of
Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Raja
Pakar P.S. Case No. 429 of 2022 dated 09.12.2022, instituted for
the offence punishable under Sections 394, 412 of the Indian
Penal Code.

3. The prosecution case, in short, is that four unknown
persons committed loot on the point of pistol and took away the
motorcycle, Rs. 2000/- in cash, gold chain and mobile phone of
the informant. It is also alleged that the they assaulted the
informant by means of butt of pistol.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. Learned counsel for the petitioner submits that First Information Report has been lodged against four unknown persons. The petitioner has been made accused only on the basis of the confessional statement and past criminal antecedents. It is submitted that no T.I.P. has been conducted. Neither any incriminating articles nor any motorcycle has been recovered from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 19.04.2023 having nine criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-IX Vaishali at Hajipur, in Raja Pakar P.S. Case No. 429 of 2022, subject to 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 on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

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