

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.12322 of 2024

Arising Out of PS. Case No.-206 Year-2022 Thana- SARAI RANJAN District- Samastipur

Rajesh Kumar Rai @ Rajesh Rai, aged about 28 years, Male, Son Of Lila Ray, Resident Of Village- Baruna Rasalpur, P.S.- Sarairanjan, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is in custody in connection with Sarairanjan P.S. Case No. 206 of 2022 registered for an offence punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, three miscreants on two motorcycles rammed in the bike of the informant and at the gun point they snatched his gold chain, rings and wrist watch and after checking the footage of a CCTV camera.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that no incriminating article has been recovered from the conscious possession of the petitioner and no test identification parade was conducted till now nor any one has seen the petitioner at the place of occurrence. Petitioner is in custody since 13.06.2023. He next submits that similarly



situated co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 74287 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Under the aforesaid facts and circumstances, let the above named petitioner 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 ACJM-III, Samastipur in connection with Sarairanjan P.S. Case No. 206 of 2022 with following condition:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the trial Court.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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