

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20091 of 2024

Arising Out of PS. Case No.-32 Year-2005 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Raj Kumar Rai @ Raj Kumar S/o Bhallu Rai @ Bhalhar Rai R/o Village
Dakshinichak , PS athmalgola District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 266 of 2006, Rail Bakhtiyarpur P.S. case No. 32 of 2005
instituted for the offences under Sections 395/397 of the Indian
Penal Code.

3. Prosecution case, in short, is that on the alleged date
and time of occurrence, 10-12 unknown miscreants boarded in
the coach and on the point of pistol and knife looted the
belongings of the passengers including that of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
present case is the case of misuse of privilege of bail granted to



the petitioner. He further submitted that earlier, the petitioner was granted bail 18.04.2019 and his bail bonds got cancelled on 20.03.2020 during Covid pandemic. He further submitted that petitioner was arrested on 19.12.2023, thus, there is misuse of of the privilege of bail for a period of three years. Learned counsel further submitted that petitioner undertakes to abide by any condition(s) imposed by this Court, if released on bail. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.Tr. No. 266 of 2006, Rail Bakhtiyarpur P.S. case No. 32 of 2005, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on any date, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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