

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18390 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Ravi Prakash Son of Ram Chela Singh, Resident of village + P.O.- Ahraon,
P.S.- Sasaram(Muffasil), Distt.-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Babu Nandan Prasad, the learned
counsel for the petitioner and Mr. Narsingh Tanti, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sasaram (Muffasil) PS Case No. 251 of 2023,
FIR dated 17.05.2023, registered for the offence punishable
under Section 379 of the Indian Penal Code.

3. According to prosecution case, it is alleged that
unknown persons had stole iron-rods of 1604 kgs. worth Rs.
1,70,000/- (One lakh and seventy thousand) of railway bridge
premises and the security of the said articles had been given to
Parmar Security Services. It is further alleged that the
Supervisor of Parmar Security Services and the petitioner in
connivance with some guards had stole the said iron-rods under



conspiracy.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that upon perusal of the FIR, it appears that the date of occurrence as alleged in the FIR is 10.05.2023 while the present FIR is instituted on 17.05.2023, after a delay of seven days and afterthought only to falsely implicate the petitioner and in fact, the petitioner is Supervisor and he was posted in the officer of the informant. He lastly submits that no one has seen the occurrence and except suspicion, no other cogent material has come during investigation which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and except suspicion, no other cogent material has come during investigation which suggests the involvement of the petitioner in the present occurrence, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a



period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas, where the case is pending in connection with **Sasaram (Mufassil) PS Case No. 251 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii). 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.

(iii). And further condition that the trial Court 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 trial Court 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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