

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21709 of 2024

Arising Out of PS. Case No.-340 Year-2022 Thana- SONEPUR District- Saran

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Jhimmi Ray @ Jhimi Ray son of Ramayan Rai Village- Chittarchak, P.S.
Sonepur, District- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for an offence punishable under Sections 395 and 412 of the Indian Penal Code.

3. As per allegation in the FIR, while the informant who is cashier of Uttar Bihar Grameen Bank, Govindchak, Sonepur, was on duty on 18.05.2022, 6-7 unknown persons entered into the bank, looted all cash and articles available in the bank and they fled away. After verification, it has been found by the informant that total Rs.5,96,000/- along with mobile has been looted by the unknown persons.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case. The petitioner is not named in the FIR and his name surfaced on the basis of confessional statement of co-accused persons. He next submits that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 72702 of 2022 vide order dated 28.06.2023 and Cr. Misc. No.14191 of 2023 vide order dated 11.05.2023 also in Cr. Misc. No. 7135 of 2024 vide order dated 20.02.2024. Petitioner is in custody since 07.11.2023.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. In view of the aforesaid facts and submissions of learned counsel for the petitioner, 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 CJM, Chapra in connection with Sonapur P.S. Case No. 340 of 2022 with following conditions:-

(i) Petitioner shall cooperate 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.



(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 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 steps 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.

(Ramesh Chand Malviya, J)

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