

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25048 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- BARUN District- Aurangabad

Niraj Kumar SON OF DINESH SINGH RESIDENT OF VILLAGE-
KATHRUA, PS- AURANGABAD, DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Rabindra Kumar

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

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barun
P.S. case No. 402 of 2023 instituted for the offences under
Section 379 of the Indian Penal Code later on Section 411 of the
I.P.C. was also added.

3. Prosecution case, in short, is that parked tempo of
the informant was robbed by unknown persons.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. It is
submitted that the said tempo loaded with illicit liquor was
recovered in connection with Aurangabad Town P.S. Case No.
758 of 2023, wherein the petitioner is one of the accused person



and due to suspicion he has been made accused in this case. Petitioner is not named in the F.I.R. Neither the petitioner was apprehended on the spot nor any stolen article has been recovered from his conscious possession. Learned counsel further submitted that T.I.P. has not been conducted till date. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.02.2024, and has six criminal antecedents out of total cases in which in three cases, he has granted anticipatory bail and in two cases he has granted regular bail.

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 as also the period of custody undergone 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 Barun P.S. case No. 402 of 2023, 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 two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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