

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33572 of 2024

Arising Out of PS. Case No.-606 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Rahul Kumar S/O Raj Kumar Tatwa R/O Mohalla- Huse Chapra, P.S- Chapra
Town, Distt.- Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2024 Heard Ms. Rajani Kumari, learned counsel for the
petitioner and Mr. Shyameshwar Dayal, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
15.11.2022 in connection with Chapra muffasil P.S. Case No.
606 of 2022 F.I.R. dated 17.08.2022 registered for the offence
punishable under Section 394 of IPC .

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Petitioner is not named in the FIR. The name of
the petitioner has been transpired during investigation on the
basis of the disclosure made by the spy. Further submits that till



date no TIP has been conducted by the prosecution, and although Rs.7,50,000/- has been recovered from the house of the petitioner. Learned counsel for the petitioner submits that recovered amount belongs to the father of the petitioner and he is dealing with the business of Kirana Shop and although charge has been framed but the trial is not in progress. The petitioner is in custody since 15.11.2022.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one, but fairly submits that petitioner is on bail in all the cases as mentioned in para-2 of the supplementary affidavit.

6. Considering the aforesaid fact, let the petitioner, above named, 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 A.D.J. IV, Saran at Chapra in connection with Chapra mufassil P.S. Case No. 606 of 2022, with the following conditions:-

(I) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient



reason, his/her 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 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)

Nitesh/-Harshita

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