

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37185 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- BANGARA District- Samastipur

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Raja Kumar S/O Rakesh Sah @ Rakesh Kumar Sah R/O Village- Belari, P.S-
Ujiyarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

4 22-11-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bangra
P.S. case No. 11 of 2024 instituted for the offences under
Sections 457, 380, 411 of the Indian Penal Code.

3. Prosecution case, in short, is that unknown thief
has committed theft in the home of the informant and stolen
ornaments, cash amounting to Rs. 5,000/- and inverter battery.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. Name of the petitioner has
surfaced in this case during course of investigation followed by
his self-confessional statement. It is alleged that some jewellery



is recovered from the possession of the petitioner. Learned counsel submits that there is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.02.2024 and has five criminal antecedents. Other co-accused has been granted bail by this Court *vide* order dated 20-05-2024, passed in Cr. Misc. No. 35621 of 2024.

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, ***after framing of charge, if not already framed***, 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 Bangra P.S. case No. 11 of 2024, 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.

(III) 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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