

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38314 of 2024

Arising Out of PS. Case No.-422 Year-2018 Thana- BARH District- Patna

Rajesh Ram @ Tere Naam S/o Sudhir Ram Resident of Village- Maur, P.S.-
Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Barh PS Case No. 422 of 2018 instituted for the offences punishable under Section 414 of the Indian Penal Code.

3. As per the prosecution case, the informant who is the Sub-Inspector of Barh P.S. on information that some outsiders have come in Barh to commit crime, the informant arrested one person from Yamaha motorcycle without registration No. and two persons from Ambassador car bearing registration No. DL02CM-5368 and others were succeeded including petitioner to flee away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He further submits that it appears from a bare perusal of the FIR, the petitioner was not arrested on spot and the name of the petitioner has figured in this case on the basis of confessional statement of co-accused person. He further submits that petitioner has got no criminal antecedent and there is no recovery made from the possession of the petitioner. Similarly, situated co-accused person has already been granted anticipatory bail by this Court in Cr. Misc. No. 35874 of 2024 vide order dated 23.05.2024.

5. Learned APP opposes the prayer for bail.

6. On perusal of the FIR and impugned order dated 18.04.2024, it appears that petitioner was not arrested on spot and there is no recovery made from the conscious possession of the petitioner and the name of the petitioner has surfaced in this case on the basis of confessional statement of other co-accused person.

7. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, Barh in connection with Barh P.S. Case No.
422 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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