

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45311 of 2024

Arising Out of PS. Case No.-233 Year-2001 Thana- SILAO District- Nalanda

Karu Rajwar Son Of Janki Rajwar Village- Karyanand Nagar, P.S.-
Rajgir, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Silao (Rajgir) P.S. Case No. 233 of 2001, G.R. No. 1203 of 2001, instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, three unknown persons intercepted the informant and his brother, snatched their bag containing Rs. 50,000/- and fled away while firing their pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge has been framed in this case on



03.01.2002. No incriminating material has been recovered from the conscious possession of the petitioner. There is no specific allegation levelled against the petitioner, rather the allegation is general and omnibus in nature. It is alleged that the petitioner was also a member of the mob. The present case is misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on 08.04.2002 by the learned Court below. The petitioner had engaged his advocate to represent him but he did not inform him and left for *pairvi*, as such he had no knowledge and bail bond has been cancelled. It is also submitted that the learned Court below cancelled the bail bond of the petitioner and non-bailable warrant of arrest has been issued on 07.03.2005. The petitioner had been declared absconder on 11.11.2016. It is further submitted that the petitioner has been arrested on 06.04.2024 and was remanded on 07.04.2024. Learned counsel for the petitioner further submitted that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned APP 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 and taking into account the period of custody



undergone by the petitioner as also the undertaking given 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Silao (Rajgir) P.S. Case No. 233 of 2001, G.R. No. 1203 of 2001, 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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