

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59276 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- TARAIYA District- Saran

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Raja Kumar Son of Ashok Prasad Resident of Village - Visunpur Jagdish, P.S.
- Madhaurah, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 06-12-2024 Heard Mr.Ajit Kumar Singh, learned counsel for the

petitioner and Mr.Arun Kumar Pandey, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
23.3.2024 in connection with Taraiya P.S. Case No. 140 of
2023, F.I.R. dated 13.05.2023 registered for the offence
punishable under Sections 341,323,364,386,504,34 of IPC.

3. The FIR of the occurrence of Rangdari 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 confessional statement of co-accused person,



namely, Sonu Singh @ Sonu Kumar and said co-accused person, namely, Sonu Singh @ Sonu Kumar has been granted bail by this Court vide order dated 18.09.2024 passed in Cr. Misc. No.40448 of 2024 and nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.3.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that he is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR and similarly situated co-accused person, namely, Sonu Singh @ Sonu Kumar has been granted bail by this Court, 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 Additional Chief Judicial Magistrate 1st Saran at Chapra in connection with Taraiya P.S. Case No. 140 of 2023, 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)

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