

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 62810 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- RAXAUL RAIL P.S. District- West
Champaran

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Sandeep Kumar, Son of Late Raj Kishore Ram, Resident of Village-
Pakadgaun, Ward No.13, P.S.- Bagaha-1, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate
For the Opposite Party/s : Mr. Mritunjay Kr. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-11-2024 Heard Mr. Aditya Nath Jha, learned Advocate for the

petitioner and learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sessions Case No. 222 of 2024, arising out
of Rail Raxaul P.S. Case No. 19 of 2023, registered for the
offences punishable under Sections 307, 328 and 379 of the
Indian Penal Code.

3. Allegedly while the informant was travelling on a
train; In the meantime, a person of short height came in his
compartment and took a seat beside him. It is alleged that the
said person gave a soft drink and after taking the same, the
informant became unconscious. When the informant woke-up,
he found his belonging and cash of Rs.3500/- were missing. The



informant got his treatment done in the hospital and thereafter the F.I.R. has been instituted.

4. Learned Advocate for the petitioner primarily contended that the alleged occurrence took place on 03.06.2023, but the present F.I.R. has been instituted on 18.06.2023. It is next contended that the F.I.R. has been instituted against unknown miscreant. However, later on, when the petitioner was apprehended in connection with Raxaul P.S. Case No. 26 of 2023, the police forcibly recorded his confessional statement and remanded him in this case also. The petitioner has neither been put on Test Identification Parade nor any incriminating material has been recovered from his person or possession, though he has been incarcerated since 08.07.2023 and remanded in this case on 12.01.2024. It is lastly contended that be that as it may, now the investigation of the crime is complete and charge-sheet has been submitted. Moreover, prior to the institution of the present case, the petitioner has had no criminal antecedent.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is found allegedly involve in administering some intoxicant and causing theft of valuables.

6. Regard being had to the submissions made on



behalf of the parties and considering the period of custody and the fact that till date the petitioner has neither been put on TIP nor any incriminating material has been recovered, coupled with the fair antecedent, prior to the institution of this case, let the petitioner, named above, 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 learned Additional Sessions Judge-IV, Bettiah (West Champaran) in connection with Sessions Case No. 222 of 2024, arising out of Rail Raxaul P.S. Case No. 19 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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