

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85729 of 2023

Arising Out of PS. Case No.-451 Year-2021 Thana- LALGANJ District- Vaishali

RAMANUJ KUMAR @ RAM ANUJ KUMAR SON OF LATE
VISHWAMBHAR RAY R/O VILLAGE-POJHIYA, P.O. AND P.S.-
LALGANJ, DIST.- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Lalganj
P.S. Case No. 451 of 2021 registered for the offences punishable
under Section 392 of the IPC.

3. As per prosecution case, informant alongwith his
driver was returning to Lalganj on pick-up van after distributing gas
cylinders and on the way he was intercepted by three unknown
miscreants riding on one motorcycle. It is alleged that two miscreants
on the point of pistol asked for money and threatened to kill them. It
is further alleged that other miscreant in the meantime snatched Rs.
45,000/- and also took away Vivo and Nokia mobile from the pocket
of the informant and gas card of one Urmila Devi and thereafter, all
the miscreants fled away.



4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and during the course of investigation the name of petitioner surfaced upon self-confessional statement and he has been remanded in the present case on 16.06.2022 merely on suspicion from Lalganj P.S. Case No. 09 of 2022. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. No TIP has been conducted uptill now. He further submits that petitioner is in custody since 16.06.2022 and bears criminal antecedent of two cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused, Chandan Kumar, against whom there is allegation of recovery, has already been granted bail vide Cr. Misc. No. 53880 of 2022 by the co-ordinate Bench of this Court and the case of present petitioner stands more or less on similar footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Lalganj P.S. Case No. 451 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(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.

(Alok Kumar Pandey, J)

vashudha/-

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