

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2190 of 2024

Arising Out of PS. Case No.-429 Year-2022 Thana- RAJAPAKAR District- Vaishali

Rajesh Kumar @ Timal @ Dimple S/o Sri Lalan Mahto, R/o Village-Shekhpora,P.S.-Raja Pakar, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Raja Pakar P.S. Case No.429 of 2022, registered for the offences punishable under Sections 394 of the Indian Penal Code but the charge sheet has been submitted under Section 394 & 412 of the Indian Penal Code.

3. As per the prosecution case, some unknown miscreant on the point of pistol assaulted the informant and snatched the cash, mobile and other articles from him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that except confessional statement of co-accused Chhotu Kumar @ Navin Kumar there is no material



against the petitioner. He also submits that nothing has been recovered from the possession of the petitioner or from his house and he has two criminal antecedents in which he is on bail. Learned counsel submits that petitioner is not named accused and no T.I.P. has been done in this case. He further submits that charge sheet has already been filed against the petitioner and he is in custody since 27.01.2023. Learned counsel submits that similarly situated co-accused persons namely Chhotu Kumar @ Nawin Kumar @ Jasar and Raushan Kumar @ Raushan Rai have been granted bail by the Co-ordinate Benches of this Court vide orders dated 13.09.2023 & 08.11.2023 passed in Cr. Misc. No.57619 of 2023 and Cr. Misc. No.54695 of 2023 respectively.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 Chief Judicial Magistrate-IXth, Vaishali at Hajipur in connection with Raja Pakar P.S. Case No.429 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

(Sunil Dutta Mishra, J)

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