

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2243 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- KOTWALI District- Patna

RAM JI KUMAR @ RAM JI @ RAMJEE SON OF BIJAY SINGH
RESIDENT OF VILLAGE -B N RAI ROAD, MACHHALIGALI, PS-
KADAMKUAN, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvnendra Kumar Thakur, Adv
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 167 of 2023 registered on 05.03.2023
lodged under Sections 414 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against two named accused persons including the present
petitioner. Police has received secret information that the person
responsible to theft are standing with the motorcycle. In the
meantime, police reached and arrested the persons.

4. Counsel further submits that petitioner is innocent
and has committed no offence but only on apprehension, police
has arrested him. He further submits that the Section in which



petitioner is charged is triable by Magistrate. He further submits that petitioner is in custody since 06.03.2023 having three criminal case pending against him, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and petitioner have three antecedent of the same nature. Therefore, this aspect must be taken into consideration at the time of granting bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge as well as the trial court on being satisfied with the affidavit to be submitted by the petitioner before the Trial Court indicating therein that he is not absconding in any one of the three cases*, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna in connection with Kotwali P.S. Case No. 167 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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