

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.417 of 2024

Arising Out of PS. Case No.-730 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Rakesh Singh Ratneshwar Prasad Singh @ Brambhchary Resident of village-
Mehiya, P.S.- Chapra Muffasil District - saran

... .. Petitioner/s

Versus

The State of Bihar Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Bishen

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chapra Muffasil P.S. Case No. 730 of 2022 registered on
06.10.2022 lodged under Sections 394, 307/34 of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons against whom there is an
allegation of dacoity and attempt to murder. They have looted
amount of Rs. 12,84,960/- from the godown of the informant.

4. Counsel submits that petitioner is innocent and has
committed no offence. Counsel for the petitioner submits that
name of the petitioner has been figured in this case by the virtue
of confessional statement of the co-accused. He submits that



nothing incriminating has been recovered from the possession of the petitioner nor T.I.P has been conducted. He submits that the name of the petitioner has been inserted in this case only and only due to the reason that his antecedent is not clean. He further submits that petitioner is in custody since 25.09.2023 having six criminal case pending against him, in which he is on bail. Counsel submits one of the accused persons have been granted bail by the coordinate Bench of this Court vide order dated 05.05.2023 passed in Cr. Misc. No. 8855 of 2023.

5. Learned counsel for the State opposes the prayer for bail and submits that it is true that bail of one accused persons have been granted bail but it is also true that the bail of other accused persons has been rejected vide order dated 11.09.2023 passed in Cr. Misc No. 66568 of 2023. Moreover, his antecedent is not clean and 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 ***three months after framing of charge if not framed yet and on being satisfied by the trial Court that he is not absconding in any of the criminal cases pending against him which are mentioned below*** and on furnishing bail bonds



of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 730 of 2022 , 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.



- Chapra Muffasil P.S. Case No. 292/2018.
- Chapra Muffasil P.S. Case No. 344/2015.
- Chapra Muffasil P.S. Case No. 273/2018.
- Chapra Muffasil P.S. Case No. 376/2019.
- Chapra Muffasil P.S. Case No. 256/2019.
- Chapra Muffasil P.S. Case No. 275/2020.

(Dr. Anshuman, J)

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