

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29208 of 2025

Arising Out of PS. Case No.-19 Year-2024 Thana- CHACKMEHSI District- Samastipur

Raja Kumar S/o Arvind Kumar Resident of Village- Baghi, Police Station-
Karpurigram, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 11-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chakmahesi P.S. Case No. 19 of 2024 registered for the offences
punishable under Section 392 of the IPC.

3. As per prosecution case, Rs. 90,000 along with
informant's purse containing cash Rs. 1500/-, Adhar Card and
Pan Card was looted from the office of Ecom Express Ltd.
Malinagar Pusa Samastipur by three unknown miscreants on the
point of pistol.

4. Learned counsel for the petitioner submits that
the bail prayer of the present petitioner has already been rejected
by this Court vide Cr. Misc. No. 70353 of 2024 on 07.10.2024.



He further submits that petitioner is in custody since 17.05.2024. He further submits that the period of custody undergone by the petitioner is more than one year and the case is still pending at the stage of framing of charge. He further submits that the present case is triable by the magistrate and the petitioner has already suffered more than one year in pre-trial detention. Learned counsel orally submits that petitioner is ready to appear on each and every date and he will not misuse the privilege of bail on single date. He further submits that pace of trial is very slow and delay of trial is not in any way attributable to the petitioner as he is in custody since 17.05.2024. Learned counsel also orally submits that though petitioner bears criminal antecedent of eight cases but he is on bail on the said cases. He further submits that petitioner has been roped in a case one after another in a routine manner without any basis. He further submits that petitioner has falsely been implicated in the present case just because of having criminal antecedents which clearly denotes that no incriminating article has been recovered from the conscious possession of the petitioner rather the recovery was being shown from others. Petitioner is quite innocent and has committed no offence as alleged in the FIR.



5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner bears criminal antecedent of eight cases and looted Aadhar Card has been recovered from the rented house of the petitioner as mentioned in impugned order itself. He further submits that earlier bail prayer of the present petitioner has already been rejected on merit by this Court vide Cr. Misc. No. 70353 of 2024 on 07.10.2024. Hence, he does not deserve bail.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 97 of 2025 dated 08.05.2025 has sent its report which reveals that the present case is pending for framing of charge.

7. Considering the facts and circumstances of the case, period of custody undergone by the petitioner is more than one year, trial court report clearly indicates that the pace of trial is very slow and delay of trial is not attributable to the petitioner, argument advanced on behalf of the 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate First Class cum Additional Munsif
Samastipur in connection with Chakmaheshi P.S. Case No. 19 of
2024 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 each and every date without fail and if he
fails to do so the prosecution will be at liberty to move for
cancellation of bail.

(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.

(iv) Petitioner shall furnish mobile number at the
time of furnishing bail bond and the said mobile number shall
continue in operating condition till disposal of the case and he
shall get his presence marked before the officer-in-charge of the
concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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