

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31906 of 2025

Arising Out of PS. Case No.-163 Year-2019 Thana- SARAIYA District- Muzaffarpur

Raushan Kumar Singh @ Gamgam Singh, Son of Late Ravindra Kumar Singh, resident of Village- Fular @ Phuladh, PS – Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Saraiya P.S. Case No. 163 of 2019 registered for the offence punishable under Section 394 of the Indian Penal Code.

3. Allegedly while the informant, who was posted as District Branch Officer in Bandhan Bank, was going to the Bank, in the meanwhile, three miscreants came on a Splendor Motorcycle, intercepted him and snatched Rs.46,915/- and the other valuables on the point of pistol.

4. Learned Advocate for the petitioner submitted that the F.I.R. has been instituted against unknown miscreants. However, during the course of investigation, the petitioner, who



was in custody in connection with Paroo P.S. Case No. 168 of 2019, has been remanded in this case on 24.01.2025, after about six years. It is the admitted fact that neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered and only on account of his past criminal antecedent, as has been disclosed in para.3 of the petition, the name of the petitioner has been implicated in this case. Save and except the aforesaid fact, there is no material against the petitioner. The petitioner has been incarcerated since 24.01.2025 and the investigation is complete.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears eight criminal antecedent of identical nature and his complicity in the crime cannot be ruled out.

6. Considering the materials available on record, as also the fact that the petitioner has been remanded in this case after a period of 5-6 years, coupled with the absence of any cogent material and recovery of the looted articles, let the petitioner, named above, 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-V, West, Muzaffarpur in connection with



Saraiya P.S. Case No. 163 of 2019, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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