

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48828 of 2024**

Arising Out of PS. Case No.-567 Year-2021 Thana- MUZAFFARPUR SADAR District-  
Muzaffarpur

=====

Rajesh Kumar, age 23 years, Male, Son of Shiv Chandra Sharma, R/O Vill.-  
Lahladpur, P.S.- Patepur, Dist.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Dharendra Prasad Sinha, Advocate  
For the Opposite Party : Mr. Murli Dhar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

9      18-03-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with  
Muzaffarpur Sadar P.S. Case No. 567 of 2021 dated 18.08.2021  
registered for the offences punishable under Sections 379, 420  
and 120B of the I.P.C.

3. As per the prosecution case, on 16.08.2021, the  
informant has gone to Punjab National Bank for updating his  
passbook. When his passbook was updated it was found that Rs.  
45,00,000/- had been withdrawn from his account without  
authorization. It is further alleged that no intimation was ever



sent to the informant regarding withdrawal of such huge amount.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. No incriminating article has been recovered from his possession. It is further submitted that the petitioner was arrested in Muzaffarpur Town P.S. Case No. 487 of 2021 registered on 12.08.2021 and during detention in jail he was remanded in the present case on 13.12.2022 from Muzaffarpur Town P.S. Case No. 487 of 2021 and without any cogent and reliable evidence he was also remanded in other cases. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Jafar Iqbal and Manjay Kumar Singh. It is further submitted that without any cogent and reliable evidence, the Investigating Officer has also submitted charge sheet against the petitioner. He has no concern with the alleged offence. In compliance of the order dated 25.11.2024, the learned Judicial Magistrate-Ist Class-cum-A.M.-4, Muzaffarpur (East), vide its Letter No. 20/2025 dated 22.02.2024 has sent a report with respect to the present stage of the case in which it has been reported that the present stage of



the case is pending for evidence and the process of summon has been issued against the prosecution witnesses. The petitioner has eight criminal antecedents and in seven cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 13.12.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 567 of 2021 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. If the petitioner is found involved in similar nature of offence in future, his bail



bond is liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

U.K./-

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