

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54733 of 2025

Arising Out of PS. Case No.-342 Year-2022 Thana- AMARPUR District- Banka

Rajaram @ Raj Kumar Ram S/o Anil Ram Vill.- Saidpur, Ward No.-11, PS-
Jagdishpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Amarpur P. S. Case No. 342 of 2022, registered for the offences
punishable under Sections 420, 467, 468, 471 and 34 of the
Indian Penal Code.

3. The petitioner has earlier moved before this Court
with a prayer for anticipatory bail which was dismissed for want
of prosecution vide order dated 24.03.2023 passed in Cr. Misc.
No. 74941 of 2022.

4. As per allegation, the petitioner and his associates
were indulged in illegal mining of sand. It is further alleged that
the owner of the tractor, the petitioner, prepared forged



document of Mines Department, Banka without depositing loss/fine amount in regard to the minerals carried by tractor and produced the same before the Court concerned.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive. Learned counsel for the petitioner submits that the date of occurrence is 19.07.2021 but, the F.I.R. was lodged on 22.06.2022 which creates doubt in the veracity of the prosecution case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. Learned counsel for the petitioner further submits that the petitioner is ready to deposit the amount, in question, to the concerned Mines and Geology Department. The petitioner has three criminal antecedents and is languishing in judicial custody since 15.04.2025 without any rhyme or reason.

6. Learned counsel for the petitioner again submits that the co-accused namely Ritesh Kumar Ray and Mandan Yadav have been granted bail by a Co-ordinate Bench of this Court vide orders dated 30.05.2023 and 17.05.2023 passed in Cr. Misc. Nos. 16241 of 2023 & 16910 of 2023 respectively.



7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the submissions made by the learned counsel for the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amarpur P. S. Case No. 342 of 2022, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be



at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

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