

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15440 of 2019**

Arising Out of PS. Case No.-539 Year-2018 Thana- BAHADURPUR District- Darbhanga

RAVI KUMAR RAI @ AMIT KUMAR @ RDX Son of Dilip Kumar Rai @
Dilip Kumar Resident of village- Barheta P.S.- Bahadurpur, District-
Darbahanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER**

2 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
22.12.2018 in connection with Bahadurpur P.S. Case No. 539 of
2018 for offences punishable under Sections 401, 413, 414, 467,
468 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that while on patrolling duty they apprehended one
Rajiv Ranjan @ Chotu, who was found with the stolen
motorcycle. On his confession the name of the petitioner and
other accused persons surfaced and from the house of the
petitioner a stolen motorcycle was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case only on the basis of extra judicial confessional statement of co-accused before the police which has no evidentiary value in the eye of law. He further submits that the stolen motorcycle was not recovered from the house of the petitioner rather behind the house of the petitioner for which the petitioner has been falsely implicated. It is further submitted that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the nature of allegation, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, in connection with Bahadurpur P.S. Case No. 539 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioner.

2. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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