

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29121 of 2019**

Arising Out of PS. Case No.-195 Year-2018 Thana- RAJAPAKAR District-
Vaishali

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AJIT KUMAR, aged about 21 years, male, Son of Chandeshwar Prasad
Singh Resident of Village - Gangajal, P.S.- Rajapakar, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash Sinha

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 23-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 379 of the Indian Penal Code but later on
Section 414 IPC was added registered in connection with
Rajapakar P.S. Case No. 195 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely on the confessional statement of co-accused
Uday Pratap singh @ Uday, except which there is no objective
material to connect the petitioner with the alleged occurrence.
The petitioner's name has transpired on the confessional
statement of co-accused from whose possession the recovery of
stolen motorcycle has been made. The petitioner claims clean
antecedents.

4. Learned APP submits on the basis of paragraph-22
of the case diary in which it has been stated that the petitioner
along with persons was seen in the vicinity of the place of
occurrence. No objective material has been pointed out in the



case against the petitioner.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 195 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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