

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47487 of 2019

Arising Out of PS. Case No.-751 Year-2017 Thana- FORBESGANJ District- Araria

Rajesh Kumar Das S/o Shivu Das R/o village- Forbesganj, Ward No. 9 Power House, P.S.- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-10-2019 Heard the parties.

The petitioner seeks bail in **Forbesganj P.S. Case No. 751 of 2017 G.R. No. 3148 of 2017**, registered for the offences punishable under Sections 461, 379 of the Indian Penal Code.

F.I.R. is against unknown. It is alleged that some unknown miscreants after breaking the gate of the house of informant, entered into the office and committed theft of computer set, two C.P.U screen, two key-boards, two mouse, two pen drive etc.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the F.I.R. No incriminating article has been recovered from the possession of this petitioner. No test identification parade has been held. Name of this petitioner has come in this case on the basis of confessional statement of the co-accused Gopi Kumar and Gopi Kumar has



already been granted bail by a coordinate bench of this court vide order dated 20.07.2018 passed in Cr. Misc. No. 35284 of 2018 (Annexure-2). Petitioner is in custody since 23.05.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to 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 the learned **Judicial Magistrate Ist Class, Araria** in connection with **Forbesganj P.S. Case No. 751 of 2017 G.R. No. 3148/17**, subject to the following conditions:-

(i) The petitioner shall co-operate 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.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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