

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4267 of 2020**

Arising Out of PS. Case No.-48 Year-2018 Thana- DANDKHORA District- Katihar

Rahul Kumar @ Rahul Kumar Paswan Son of Prem Chandra Paswan
Resident of Village - Rautara, P.S.- Rautara, Distt – Katihar ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Praveen Kumar Agrawal, Advocate
For the Opposite Party : Mr.Mukesh Kumar Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 379 of the IPC.

It is alleged that some unknown miscreants committed theft of motorcycle of the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case only on suspicion. He submits that there is no eye witness to the occurrence. Nothing incriminating has been recovered from the petitioner and he is in custody since 16.11.2019. Similarly situated co-accused Md Sajid has already been allowed bail by the Court below itself. Petitioner has not been put on test identification parade till date.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released 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 Sub Divisional Judicial Magistrate Katihar in Dandkhora Police Station Case No. 48 of 2018, on the following conditions:-



(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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