

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18803 of 2021

Arising Out of PS. Case No.-155 Year-2016 Thana- BARAULI District- Gopalganj

Rabindra Paswan @ Sonu Son Of Kanhaiya Manjhi R/O Village- Tajpur, P.S.-
Janta Bajar, District- Saran @ Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 420 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, a stolen motorcycle is said to have been recovered from the verandah of the house of the co-accused.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused who was arrested on the spot with stolen motorcycle. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has



already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 20622/2018. Petitioner claims clean antecedent and he is in custody since 28.11.2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that the petitioner bears clean antecedent and he is in custody since 20.11.2020 and petitioner's name has figured during course of investigation in confessional statement of co-accused, let the petitioner, mentioned above, 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 Judicial Magistrate 1st class, Gopalganj in Barauli Police Station Case No. 155 of 2016 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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