

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24602 of 2021

Arising Out of PS. Case No.-691 Year-2020 Thana- SITAMARHI District- Sitamarhi

RAJANIKANT KUMAR S/O Late Yogendra Mahto Resident of Village -
Chilraa Ward No. -2, P.S. - Sonbarsa District - Sitamarhi.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Sitamarhi P.S. Case No. 691 of 2020 registered for the offences punishable under Sections 414/34 of the Indian Penal Code and Sections 20/22 of the NDPS Act.

According to prosecution case, on 14.12.2020 the informant along with other police official during patrolling duty reached near Kanta Chowk and noticed that two persons riding on motorcycle started fleeing seeing the police party. The accused persons were apprehended by the police party and on



search ½ kg ganja was recovered from each of the accused persons. After their disclosure house of the petitioner was raided and two stolen motorcycles were recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that petitioner had purchased the said motorcycles from another persons after making payment and he had no knowledge that said motorcycles are stolen property. He has got no criminal antecedent and is in custody since 15.12.2020. It is further submitted that co-accused Sudhir Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 05.10.2021 passed in Cr. Misc. No. 27560 of 2021. Similarly, co-accused Shambhu Raut has been granted bail by a co-ordinate Bench of this Court vide order dated 16.11.2021 passed in Cr. Misc. No. 46153 of 2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like



amount each to the satisfaction of the learned Special Judge,
Sitamarhi in connection with Sitamarhi P.S. Case No. 691 of
2020, subject to 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 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.

(Rajesh Kumar Verma, J)

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