

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28417 of 2021

Arising Out of PS. Case No.-227 Year-2019 Thana- LALGANJ District- Vaishali

SANJEEV SAH @ SANJEEV KUMAR S/o Surendra Sah R/o village-
Saidpur, P.S.- Lalganj, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-10-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Md. Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Lalganj P.S. Case No. 227 of 2019 registered for the offences punishable under Section 414/34, 420, 467, 468, 471 of the Indian Penal Code. He is in custody since 17.01.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, on 03.06.2019 while the informant along with some police constables were checking the vehicles, in the meantime, he saw that two persons were coming on a motorcycle and they tried to flee away, but on chase one



person was arrested who disclosed his name as Srinath @ Vikki Singh. He disclosed that the vehicle is of theft and at least 200 theft vehicles were sold. The informant further alleged that he raided the house of many criminals and many vehicles have been recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he was not arrested on the spot, his name has transpired in the confessional statement of co-accused Srinath Singh @ Vikki Singh but said Srinath Singh @ Vikki Singh from whom the stolen motorcycles were recovered has been granted regular bail by a learned coordinate Bench of this Court in Cr. Misc. No. 62786/2019, however he is in custody since 17.01.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner was not arrested on the spot, his name has transpired in the confessional statement of co-accused Srinath Singh @ Vikki Singh but said Srinath Singh @ Vikki Singh from whom the stolen motorcycles were recovered has been granted regular bail by a learned coordinate Bench of this court in Cr. Misc. No. 62786/2019, the other co-accused have also been



granted bail vide Annexure '4' and '5' attached with the supplementary affidavit of the petitioner and this petitioner has remained in custody since 17.01.2021, investigation against him is complete, and petitioner has otherwise no criminal antecedent, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Lalganj P.S. Case No. 227 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

