

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29944 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- BIDUPUR District- Vaishali

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Rabindra Kumar S/o Arbind Singh @ Arbind Kumar Singh R/o village-
Khilbat, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 15-09-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State Ms. Meena Singh.

The petitioner seeks regular bail in connection with Bidupur PS case no. 11 of 2020 instituted for the offences punishable under Sections 399, 402, 413, 414 of Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding the police having received



secret information on 11.01.2020 at about 21:00 hrs. that some miscreants had assembled near Dilawar Chowk at station road and were planning to commit some crime, whereafter the informant along with other police officials had reached at the place of occurrence and conducted a raid as also had apprehended some miscreants, while the other miscreants had fled away. It is further alleged that on search, one country made pistol, cartridges, mobile phones etc. were recovered from the apprehended miscreants and they disclosed the name of the petitioner and one another, who are stated to have escaped from the spot, however, no documents of the motorcycles could be produced, upon being demanded by the police from the apprehended miscreants and instead, they disclosed that they along with the petitioner herein used to engage in criminal activities and sell the stolen motorcycles.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case, upon the confessional statement made by the co-accused person namely Ajit Kumar, who has already been granted bail by this Court and moreover, the petitioner is languishing in custody since 16.05.2020. The learned counsel for the petitioner has further submitted that a supplementary



affidavit has been filed in the present case to show that the petitioner has already been granted bail in 10 other criminal cases, in which he is an accused. The learned counsel for the petitioner has contended that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of bail.

Per contra, the learned A.P.P. for the State Ms. Meena Singh has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner has been granted bail in 10 other criminal cases, in which he is an accused and moreover, as far as the present case is concerned, he has been implicated on the basis of the confessional statement of the co-accused person who has already been granted bail, I deem it fit and proper to admit the petitioner to the privilege of bail, however with certain conditions. Accordingly, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur PS case no. 11 of



2020.

It is needless to state that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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