

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28077 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- RAHIKA District- Madhubani

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ABHISHEK KUMAR SINGH Son of Late Jitendra Prasad Singh Resident of
Village- Alampur Ward No.14, P.S.- Vidyapatinager, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-11-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Rahika

P.S. Case No. 168 of 2020 (CRI Case No. 2577 of 2020) for the

offence under Section 379 of the Indian Penal Code.

According to the prosecution case, two trackers

have been stolen.

Learned counsel appearing for the petitioner

submits that the petitioner has falsely been implicated in

this case. In fact, the petitioner has not been named in the



F.I.R. Neither the petitioner has been arrested on the spot nor anything incriminating has been recovered from the possession of the petitioner. Moreover, the co-accused, namely, Devendra Rai and Sanjay Paswan, having more or less similar allegations have been granted bail by a co-ordinate Bench of this Court vide order dated 29.07.2021 and 08.10.2021 passed in Cr. Misc. No. 34046 of 2021 and Cr. Misc. No. 33121 of 2021, respectively. The petitioner is rotting in judicial custody since 11.01.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Judicial Magistrate-1st, Class, Madhubani in connection with Rahika P.S. Case No. 168 of 2020 (CRI Case No. 2577 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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.

(Rajesh Kumar Verma, J)

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