

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35643 of 2021

Arising Out of PS. Case No.-971 Year-2019 Thana- NAGAR District- Vaishali

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Rakesh Kumar @ Don Son of Vidya Sah Resident of Village - Nakhash Chowk, P.S.- Town, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Hajipur Town P.S. Case No. 971 of 2019, registered for the offence under Section 413, 414 / 34 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith two other associates namely Lalu Sahani and Viraj Sahani were roaming near Nakkash chowk on the stolen motorcycles and when police reached there, all accused persons, leaving their motorcycles, fled away.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner and petitioner has been falsely implicated in this case due to his criminal antecedent. Petitioner has got no concern with the



alleged stolen motorcycle and he is in custody since 15.10.2020.

Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 971 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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.”

(Prabhat Kumar Singh, J.)

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