

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18489 of 2020**

Arising Out of PS. Case No.-614 Year-2019 Thana- PATNA GRP CASE District- Patna

GOVIND KUMAR KEWAT @ GOVIND KEWAT Son of Ram Khelawan
Kewat Resident of Village - Charokhara, Ward No.18, P.S.- Lakhisarai, Distt.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

7 12-07-2021 Heard learned counsel for the petitioner and learned APP
appearing for the State through virtual court proceedings.

The petitioner seeks bail in connection with G.R.P. Patna
(Patna Junction) P.S. Case No.614 of 2019, registered for the
offence punishable under Sections 379/411/34 of the IPC.

The prosecution case in short is that one Sumit Kumar
was caught stealing motorcycle from the Motorcycle stand
situated at Patna Junction. On being caught, he confessed that he
has stolen motorcycles earlier also and has taken name of the
petitioner and others who are involved in such offence.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No such occurrence as alleged has ever



took place. He has been falsely implicated in this case merely on the basis of vague suspicion. He is neither named in the FIR nor apprehended at the spot. The name of petitioner transpired in this case only on the basis of confessional statement of apprehended co-accused. It is alleged that during investigation, a Bullet motorcycle was found in the house of the petitioner but in the impugned order, it is mentioned that petitioner revealed in his statement that he purchased the Bullet motorcycle from co-accused Sumit Kumar. The petitioner was made accused in one other case during pendency of this case and has been languishing in custody since 15.01.2020, as such, he may be enlarged on bail.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case and the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna, in connection with G.R.P. Patna (Patna Junction) P.S. Case No.614 of 2019, subject to the following conditions:

- (1) One of the bailors will be own close relative of the



petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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