

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24211 of 2020

Arising Out of PS. Case No.-272 Year-2017 Thana- MANJHAGARH District- Gopalganj

RAJDEO SAH Son of Bandhu Sah Resident of Village- Koini Bazar Tola,
P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 05.05.2020 in connection with Manjhagarh P.S. Case No. 272/2017 registered for the offences punishable under Sections 328/396/412/413/120(B) of the Indian Penal Code.

As per the prosecution case, as lodged by the informant, is that while his truck carrying mustard oil was on the way, the driver, cleaner and the truck along with alleged mustard oil vanished.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case and he is not named in the FIR. It is further submitted that name of the petitioner transpired in the confessional statement of co-accused Bira Chaudhary which has no evidentiary value. Charge-sheet



has already been submitted in this case and petitioner is in custody since 05.05.2020 having no criminal antecedents.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No. 272/2017, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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