

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38124 of 2021

Arising Out of PS. Case No.-278 Year-2020 Thana- RAJGIR District- Nalanda

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DHARMENDRA KUMAR Son of Vijay Mahto Resident of Village- Nekpur,
P.S.- Chhabgilapur (Rajgir), District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Rajgir P.S. Case No. 278 of 2020 registered under Section 414 of the Indian Penal Code.

One co-accused Chandan Kumar was apprehended by the police when he was attempting to steal a motorcycle. The said Chandan Kumar has disclosed the name of the petitioner as being part of the gang which indulged in looting and sale of stolen vehicles. Upon such implication, there is alleged recovery



of one scooty and tempo from inside and near the house of the petitioner respectively.

Learned petitioner's counsel submits that upon his arrest in Rajgir P.S. Case No. 277/2020, he has been remanded in this case based on confessional statement of co-accused. The seizure is denied and disputed by the petitioner and it is stated that the same is not in accordance with Section 100 Cr.P.C. Co-accused Chandan Kumar, Lalu Kumar and Mukesh Kumar have been allowed bail in Cr. Misc. Nos. 9453/2021, 65446/2021 and 31814/2021 respectively. The petitioner continues to be in custody since 21.10.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Biharsarif (nalanda) in Rajgir P.S. Case No. 278 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of



the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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