

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37572 of 2020

Arising Out of PS Case No.-26 Year-2020 Thana- DUMRA District- Sitamarhi

Ranjit Kumar @ Ranjit Mahto, age about 25 years (M) Son of Bechan Mahto
Resident of Village- Sonbarsa Ward No. 1, PS Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate
For the State : Ms. Sangita Sharma, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-02-2021

Heard Mr. Mahendra Thakur, learned counsel for the petitioner and Ms. Sangita Sharma, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Dumra PS Case No. 26 of 2020 dated 22.01.2020, instituted under Section 379 of the Indian Penal Code.

3. The petitioner though not named in the FIR, lodged for theft of the motorcycle of the informant, has been made accused on the basis of confessional statement of co-accused which was followed by his confessional statement also.

4. Learned counsel for the petitioner submitted that the FIR itself has been lodged after 8 days for which there is no



explanation. It was further submitted that neither the motorcycle nor recovery of any stolen item has been made from his possession. Learned counsel submitted that though the petitioner has been named in two other cases but he has been implicated falsely without there being any evidence in the same. Learned counsel submitted that the petitioner is in custody since 02.06.2020.

5. Learned APP submitted that the petitioner and co-accused have confessed to his complicity.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Dumra PS Case No. 26 of 2020 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions



of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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