

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3579 of 2021**

Arising Out of PS. Case No.-450 Year-2019 Thana- BIDUPUR District- Vaishali

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AJEET KUMAR @ RANGDARWA @ GULLI SON OF RAMEKWAL
SINGH RESIDENT OF VILLAGE- DAUDNAGAR, P.S. BIDUPUR,
DISTT._ VAISHALI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Singh, Advcoate
For the Opposite Party/s	:	Mr. Rajendra Singh, Advocate
For the Informant	:	Mr. Ravi Shankar Pankaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-04-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner, Mr. Rajendra Singh, learned APP for the State and learned counsel for the informant.

The petitioner in the present case is seeking regular bail in connection with Bidupur P.S. Case No. 450 of 2019 registered for the offences punishable under Section 399, 402, 413, 414 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that the informant received information regarding assemblage of some miscreants for purpose of commission of some serious offence. The informant reached at the given place and apprehended one Sushil



Kumar with Pulsar Motorcycle along with a pistol loaded with four cartridges and he disclosed the names of the persons who managed to escape. The informant raided the house of Sunny Kumar on the disclosure of Sushil Kumar and recovered one stolen Apache motorcycle.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has been brought in the present case on the basis of the confessional statement of the co-accused Sushil Kumar who has already been granted bail in Cri. Misc. No. 30111 of 2020 by a learned Co-ordinate Bench of this Court and the co-accused Sunny Kumar from whose possession the stolen Apache Motorcycle was recovered has also been granted bail by the learned court below. It is further submitted that there is no recovery from the possession of the petitioner. The petitioner is in custody in connection with the present case since 06.03.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and the submissions of learned counsel for the petitioner that the petitioner has been brought in the purview of this case on the basis of the confessional statement of the co-accused Sushil Kumar who has already been granted bail in Cri. Misc. No. 30111 of 2020, the co-accused Sunny Kumar from whose possession the stolen Apache



Motorcycle was recovered has also been granted bail by the learned court below, so far as this petitioner is concerned, no recovery has been made from his possession and he is in custody in connection with the present case since 06.03.2020, investigation against him is complete though after his arrest in the present case he has been involved in other 6 cases of the same Police Station by taking him in remand in those cases, in the nature of the materials placed before this Court and the fact that the co-accused have been granted bail, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 450 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) That such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the



criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

