

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1939 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- PUNAURA District- Sitamarhi

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AJAY RAI Son of Faguni Rai Resident of Village - Ranjitpur West, P.S.-
Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Manoj Kumar, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Punaura P.S. Case No.14 of 2020
registered for the offences punishable under Section 414 of the
Indian Penal Code. The petitioner has no criminal antecedent.

Learned counsel for the petitioner submits that as per
the First Information Report the allegation against the petitioner
is that he along with other co-accused was involved in
commission of theft of motorcycle.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that this petitioner has been involved in this case on the basis of the statement of the apprehended accused and there is no recovery of motorcycle from his possession rather the recovery has been shown from the apprehended accused and the co-accused from whose Khalian two motorcycles were recovered.

Learned APP for the State is present and has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this Court showing that this petitioner has been involved in this case on the basis of the statement of the apprehended accused, however, he was not arrested on the spot and there is no recovery of motorcycle from his possession, the recovery has been shown from the apprehended accused and the co-accused from whose Khalian two motorcycles were recovered, the petitioner has otherwise no criminal antecedent, this Court directs that the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Punaura P.S. Case No.14 of 2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

(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'.

