

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17769 of 2022

Arising Out of PS. Case No.-220 Year-2021 Thana- HARLAKHI District- Madhubani

MD.RAHMAT, S/o Md. Tahir Resident of Village- Sonai, P.S.- Harlakhi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Harlakhi P.S. Case No. 220 of 2021, dated 25.08.2021,

registered for the offence punishable under Section 379 of

the I.P.C.

As per allegation, the motorcycle of the informant

was stolen, when it was parked in front of Block Resource

Centres.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case. He further points out that he was not named in the



F.I.R. and his name has emerged only from confessional statement of one of the co-accused, namely, Ravi Kumar. He also submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that his name has been dragged in this case due to village politics.

The petitioner is languishing in jail since 17.09.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in one more case namely, Harlakhi P.S. Case No. 221 of 2021.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned A.C.J.M. - II, Benipatti,
District - Madhubani in connection with Harlakhi P.S. Case
No. 220 of 2021, on the following conditions:

(i) The petitioner will make himself available for
interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that
investigation/trial will not hamper on account of his absence
or non-cooperation. He must be available to the police or the
court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly
make any 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.

(iv) In case, it is brought to the notice of the court
below that the petitioner has criminal antecedent other than
the disclosed one, the learned court below shall cancel the
bail bond of the petitioner after hearing him and getting
satisfied that the petitioner has concealed his criminal
antecedent despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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