

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26975 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- BIDUPUR District- Vaishali

NIRAJ KUMAR Son of Rameshwar Prasad Resident of Village - Rajashan,
P.S.- Bidupur, District – Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 07-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 07.01.2021,
seeks regular bail in connection with Bidupur P.S. Case No. 12
of 2021, for the offence punishable under Section 379 of the
Indian Penal Code.

The prosecution case, in brief, is that on 04.01.2021,
at about 09.00 P.M., the informant parked his Bolero car bearing
registration No. BR31PA-3920 at the door of his rented house
and went to sleep in his room. Next morning on 05.01.2021, at
about 07.00 A.M., when the informant woke up then found his
said vehicle missing from there. In course of search, he came to



know from Dharvendra Bhagat @ Sonu that in the night of 04.01.2021, the petitioner along with two unknown miscreants were seen wandering near his rented house.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent he has falsely been implicated in this case. He further submits that nothing has been recovered from the house of petitioner. There is no eye-witness that the petitioner has committed theft of the alleged vehicle. He further submits that on the date of occurrence, the petitioner was at Hajipur due to some urgent work.

Learned A.P.P. for the State has opposed the prayer for bail.

Having heard the rival submissions, perused the F.I.R. and the impugned order, there is no allegation of tampering of evidence or influencing the witnesses against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali in connection with Bidupur P.S. Case No. 12 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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