

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28004 of 2021**

Arising Out of PS. Case No.-43 Year-2021 Thana- GOGRI District- Khagaria

RAJANISH KUMAR @ RAJU CHAURASIYA S/o Shri Janardan Prasad
Chaurasiya @ Janardan Mandal R/o village- Gadhmohni, P.S.- Gogari,
District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 29-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Gogari P.S.
Case No. 43 of 2021 registered for the offences punishable
under Sections 461, 379 of the IPC.

The FIR of the occurrence of theft is against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and he has falsely been
implicated in the present case. It is further submitted that name



of the petitioner has been transpired only on the basis of the information given by spy. He further submits that nothing has been recovered from possession or house of the petitioner and petitioner is in custody since 05.02.2021.

The learned Additional Public Prosecutor on the basis of case diary submits that recovery was made from possession of other co-accused persons on the basis of confessional statement of the petitioner. He further submits that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Gogari P.S. Case No. 43 of 2021, G.R. No. 295/2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



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

3. 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.

(Rajesh Kumar Verma, J)

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