

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28344 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- RAHIKA District- Madhubani

INDRAJIT DAS @ JITU KHATBE, S/O NANTUN DAS RESIDENT OF
VILLAGE-SHIV NAGAR SHAHPUR, P.S.-BENIPATTI, DISTRICT-
MADHUBANI.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 28-02-2022 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 seeks regular bail in connection with
Rahika P.S. Case No. 168 of 2020, for the offence punishable
under Section 379 of the Indian Penal Code.

The prosecution case, in brief, is that two tractors of
the informant were stolen by unknown thieves.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has been roped in the present case on
the basis of confessional statement made by co-accused
Abhishek Kumar Singh and Devendra Rai in the Police custody.
He further submits that nothing has been recovered from the



conscious possession of the petitioner. He further submits that petitioner has been made accused in the present case because other cases are pending against him. The petitioner is in custody since 11.01.2021 as such the petitioner deserves to be released on bail.

Learned A.P.P. for the State has, vehemently, opposed the prayer for grant of bail to the petitioner. He further submits that in course of investigation, it has come that petitioner has engaged in business of stealing the tractors and as such he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, prima facie it appears that the name of petitioner has surfaced on the basis of confessional statement of co-accused and on mere suspicion, the petitioner has been made accused in the present case. Without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhubani in connection with Rahika P.S. Case No. 168 of 2020, 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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