

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19553 of 2022**

Arising Out of PS. Case No.-145 Year-2020 Thana- RAJAPAKAR District- Vaishali

Mukesh Kumar Son of Parmanand Rai Resident of Village - Bakhari Barai,
P.s.- Rajapakar, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

3 30-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 413, 414/34
of the Indian Penal Code, in connection with Rajapakar P.S.
Case No. 145 of 2020.

The prosecution story, in brief, is that on 4.7.2020
in course of patrolling, the informant received confidential
information that in the village-Gaurapur Bariyarpur some anti
social elements have assembled in the dairy farm of one Nanda
Singh along with some stolen bikes and car. The persons were
removing the parts of the vehicle. Upon raid, they tried to
apprehend them but failed. Upon search, the police recovered



two splendor motorcycles and a Tata Safari Car. Accordingly, seizure list prepared and the FIR was instituted.

Learned counsel for the petitioner submits that he has not been apprehended from the spot nor anything has been recovered from his possession and further one similar placed co-accused has since been released on bail by a coordinate bench of this Court vide Cr. Misc. No. 23049 of 2021 on 05.1.2022.

Considering the aforesaid fact as also the petitioner is in custody since 7.1.2022 and one similar placed co-accused has been released on bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of A.C.J.M.-III, Vaishali at Hajipur, in connection with Rajapaker P.S. Case No. 145 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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