

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29411 of 2022**

Arising Out of PS. Case No.-53 Year-2022 Thana- EKANGARSARAI District- Nalanda

ROHIT KUMAR Son of Sanjay Paswan Resident of Village - Lodhi Katrapar,  
P.s.- Khajekalan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Paswan, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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

2      01-09-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for  
the offence under Sections 461 and 379 of the Indian Penal  
Code.

The case relates to commission of theft in the shop  
of the informant and certain electronics articles have been  
stolen away.

Learned counsel appearing for the petitioner  
submits that the petitioner, who is of clean antecedent, is  
innocent and has falsely been implicated in this case on the  
basis of suspicion only. He further submits that the  
petitioner has not been named in the F.I.R. but merely on the



basis of confessional statement of the several co-accused, Golu Kumar, Rahul Kumar, Sanni Kumar and Rajiv Kumar, he has been made accused in this case. He further submits that in fact, nothing incriminating articles have been recovered from the conscious possession of the petitioner nor the petitioner has been put on T.I.P. as yet by the prosecution. The petitioner is rotting in judicial custody since 08.03.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Ekangarsarai P.S. Case No. 53 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)**

brajesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

