

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44918 of 2021

Arising Out of PS. Case No.-193 Year-2021 Thana- BARBIGHA District- Sheikhpura

SANDIP KUMAR Son of Mathura Rawat Resident of Village- Dih, P.S.-
Keoti (Bargigha), District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Mithilesh Kumar Khare, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Barbigha P.S. Case No.193 of 2021 registered for the offences punishable under Sections 413 and 414/34 of the Indian Penal Code. He is in custody since 29.06.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story the allegation against the petitioner is that some parts of the stolen motorcycle has been shown recovered from his garage.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner and his name has transpired in the confessional statement of the co-accused Kaushal Kumar.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that from the FIR itself it would appear that this petitioner is running a garage and the recovery of some parts of the motorcycle has been shown from the said garage, the petitioner has no criminal antecedent and in connection with this case he has remained in custody since 29.06.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Barbigha P.S. Case No.193 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

