

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44543 of 2021

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

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DHIRAJ KUMAR Son of Vijay Shankar @ Vijay Shankar Tanti Resident of
Village - Kusherhi Bhadarthi, P.S.- Barbigha, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

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

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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.
Rajendra Singh, 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

he was found involved in theft of the motorcycle.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel submits 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 the name of the petitioner has transpired in the confessional statement of the co-accused Kaushal Kumar who has alleged that he he had purchased the motorcycle from the petitioner but in connection with the present case the petitioner has remained in custody for over eight months, investigation against him is complete, he has otherwise no criminal antecedent 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 Chief Judicial Magistrate, 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'.

