

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44567 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

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NARESH KUMAR KAMAT, S/o Surydeo Kamat, R/o village- Parwa, P.S.-
Jai Nagar, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2022 Heard learned counsel for the petitioner and Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Madhubani Town P.S. Case No. 52 of 2021 registered for the offences punishable under Sections 401, 420, 467, 468, 413, 414 of the Indian Penal Code. He is in custody since 22.02.2021 having one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, while the informant received secret information that 2-3 boys were coming on motorcycle and stolen one motorcycle and returned back on the same, thereafter the informant and other police personnel reached at the place and started checking. The informant further alleged that at about 4:20 p.m. two persons were coming on



motorcycle by covering their face, on asking to stop they tried to flee away but police apprehended both the boys. It is alleged that both the boys disclosed their names but did not produce any paper regarding the motorcycle and they disclosed that the motorcycle is stolen. On disclosure of the apprehended boys two stolen motorcycles were also recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner has been made accused in this case on the basis of confessional statement of co-accused Rakesh Kumar Singh, however he is in custody since 22.02.2021.

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

Having regard to the submissions that the name of this petitioner has transpired in the confessional statement of the co-accused from whose possession two stolen motorcycles were allegedly recovered but so far as this petitioner is concerned, nothing has been recovered from his possession, he has got one criminal antecedent in which he is on bail, he is in custody in connection with this case since 22.02.2021, investigation against him is complete and his presence may be secured in course of



trial, this court directs release of the petitioner above named on bail on furnishing of 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., Madhubani in connection with Madhubani Town P.S. Case No. 52 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.)

Rajeev/-

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