

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37352 of 2022

Arising Out of PS. Case No.-425 Year-2020 Thana- BISFI District- Madhubani

BAJRANGI KUMAR SAH @ BAJRANGI SAH SON OF SAHDEO SAH
R/O VILLAGE- BHARWARA, P.S.- SINGHWARA, DISTT.-
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with BISFI
P.S. Case No. 425 of 2020 registered for the offences punishable
under Sections 379 of the Indian Penal Code.

As per prosecution case, the informant's
motorcycle was stolen and F.I.R. has been lodged against
unknown.

Learned counsel for the petitioner submits that
petitioner is in custody since 24.08.2021. Petitioner bears four
criminal antecedent. Charge sheet has already been submitted in



the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not named in the F.I.R. Name of present petitioner transpired during the course of investigation and in para 18 of the case diary he has confessed his guilt as mentioned in impugned order. Nothing has been recovered from the conscious possession of the petitioner. Except confessional statement nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not named in the F.I.R., charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in connection with BISFI P.S. Case No. 425 of 2020, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on first Tuesday of every month.

(Alok Kumar Pandey, J)

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