

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37960 of 2022**

Arising Out of PS. Case No.-261 Year-2021 Thana- RAJNAGAR District- Madhubani

Rajeev Ranjan Mahto @ Rajeev Ranjan @ Chhotu, Son of Mukesh Choudhary @ Mukesh Mahto @ Mukesh Pandav Resident of village- Maniarba, P.s.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      28-09-2022                      Heard learned counsel for the petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Rajnagar P.S. Case No.261 of 2021 instituted under Sections 395, 397 of the I.P.C.

As per the prosecution story, the informant was visiting a place where orchestra was organized on the occasion of 'Janmastmi' and while returning, as he stopped his motorcycle to attend the nature's call, the accused persons on the point of pistol took away his mobile and motorcycle. Accordingly, FIR was lodged.

Learned counsel for the petitioner submits that nothing has been recovered from him rather his name has come



up on the confessional statement of Rahul Kumar and accordingly he is in jail since 18.11.2021.

Considering the all the aforesaid fact that he is in custody since 18.11.2021, his name has cropped up in the confessional statement of Rahul Kumar, nothing has been recovered from his possession, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail, subject to strict conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Rajnagar P.S. Case No.261 of 2021 to the satisfaction of learned A.C.J.M.,Ist, Madhubani, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall leave the district (Madhubani)



for a period of three month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Prakash Narayan /-

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

