

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48663 of 2021**

Arising Out of PS. Case No.-480 Year-2015 Thana- MADHUBANI TOWN District-
Madhubani

Govind Ram S/O Shri Kari Ram @ Karo Ram R/O Mohalla-Dalit Basti, Near
Private Bus Stand, Suratganj, P.S.-NAGAR, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate.
For the Opposite Party/s : Mr. N. K. Nirala, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-07-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard Mr. Ratanakar Jha, learned counsel for the
petitioner and Mr. N. K. Nirala, learned Additional Public
Prosecutor for the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Madhubani Town P. S. Case No. 480 of
2015 registered for the offences punishable under Sections 379,
411, 414, 401, 403, 413, 467, 468, 419 and 420 read with 34 of
the Indian Penal Code.

As per the prosecution case, it is alleged that the



Police, on a secret information, apprehended six persons, who were on three motorcycles, which were found to be stolen and the petitioners confessed that they are members of a gang, which is involved in theft of vehicles. It is further alleged that one of the apprehended persons, namely, Sonu Kumar, disclosed the name of the his associates including the name of this petitioner.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner has transpired on the disclosure of co-accused Sonu Kumar, who has stated before the Police, the name of the his associates including the name of this petitioner. It is further submitted that the petitioner was neither arrested at the spot nor any incriminating material has been recovered from the person of possession of this petitioner. It is next submitted that the petitioner was arrested in one another case and from where he was remanded to this case on 30.07.2019 and since then he is in custody. It is also submitted that except confessional statement there is no other material, which suggests the complicity of the petitioner in the present case. It is lastly submitted that the other co-accused persons, whose name has also come on the disclosure of co-accused Sonu Kumar, have already been granted bail by learned



co-ordinate Benches of this Hon'ble Court. In support of his submission, learned counsel for the petitioner produced the orders passed in three cases, the same have been kept on record.

On the other hand, learned APP for the State opposes the bail application and submits that during the course of investigation, the complicity of the petitioner has come and the petitioner has been found involved in eight other cases.

Having considered the submissions made on behalf of the parties and taking into account the fact that except confessional statement, there is not other material suggesting the involvement of the petitioner in this case moreover, he is in custody since 30.07.2019 and neither he was arrested at the spot nor any incriminating material has been recovered from his person or possession, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III, Madhubani in connection with Madhubani Town P. S. Case No. 480 of 2015, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the



trial.

- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) 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 cancelling 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.

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(Harish Kumar, J)

