

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39819 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- AKHODHIGOLA District- Rohtas

RITESH KUMAR @ GUDDU KUMAR Son of Late Krishna Singh Resident
of Village - Lalganj, P.S.- Sasaram (M), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Akorhigola P.S. Case No. 49 of 2022 for the offences under
Sections 457/380 of the Indian Penal Code.

As per the prosecution story, there was a theft of 250
KG of copper wire as also the D.V.R. of the C.C.T.V after
breaking the lock of the godown of Rajiv Ranjan Singh @ Sonu
Singh in the night of 11-12.04.2022.

The police investigated the matter and in course
whereof one Mukesh Kumar @ Mahto was arrested and on his
disclosure, the name of the petitioner cropped up and



subsequently from his house the stolen copper wires were recovered.

Learned counsel for the petitioner submits that he is friend of co-accused Mukesh Kumar @ Mahto and accepting his version that copper wire belongs to him and he wanted the same to be kept in his house, he allowed him to keep the copper wire which resulted into his implication in this case and he is in custody since 14.04.2022 (as stated in paragraph-11 of the bail application) although he do not have any criminal antecedent and his name has come into the confessional statement of the Mukesh Kumar @ Mahto.

Taking into account the fact that he is in custody since 14.04.2022, charge sheet stands submitted and he do not have any criminal antecedent, this Court is inclined to grant him privilege of bail. If however, it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M, Dehri (Rohtas) in connection with Akorhigola P.S. Case No. 49 of 2022, subject to the 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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 the bail bonds;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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