

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50826 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- MUSAHARI District- Muzaffarpur

RAHUL KUMAR S/o Nandkishore Rai R/o village- Pilkhi Gajpati, Tola,
Jarawanpatti, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate.

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Mushahari P.S. Case No. 11 of 2021 registered for the offence punishable under Sections 401/413/414/34 of the Indian Penal Code.

As per prosecution case, during vehicle checking when the police demanded paper of the motorcycle from the person coming from Muzaffarpur, he disclosed that he has purchased the said motorcycle from the petitioner Rahul Kumar and after verification it was found that the vehicle was stolen one.



Learned counsel for the petitioner submits that the petitioner has clean antecedent and has falsely been implicated in the present case. Learned counsel further submits that the name of the petitioner has transpired in the case on the basis of confessional statement of co-accused Raju Kumar. He further submits that nothing has been recovered from conscious possession of the petitioner rather the alleged recovery has been made from Raju Kumar and Mahadev Kumar. Petitioner is in custody since 11.01.2021.

The learned Additional Public Prosecutor for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Muzaffarpur in connection with Mushahari P.S. Case No. 11 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.



(2) 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.

(3) 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.

(Rajesh Kumar Verma, J)

mantreshwar/-

U		T	
---	--	---	--

