

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53294 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

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Ramakant Rai @ Sukho Rai Son Of Kaku Rai R/O - Bari Khanjarpur, Navin
Ganguly Road, P.S.- Barari, District- Bhagalpur Petitioner
Versus

The State of Bihar Opposite Party
=====

Appearance :

For the Petitioner/s : Mr.Madan Mohan, Advocate

For the Opposite Party/s : Mr.Anita Kumari Singh, APP
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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-05-2022 Heard counsel for the parties.

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

The petitioner is in custody in connection with
Ishakchak P.S. Case No. 72 of 2021 registered under sections
467, 468, 471, 420, 41 and 34 of the Indian Penal Code.

The allegation against the petitioner as per the
prosecution story is that on 18.6.2021, when the police was on
patrolling duty, they intercepted a motorcycle on which two
persons were riding on it. Upon enquiry, they introduced
themselves as Ramakant Rai and Rupesh Jha. When the police
asked for the documents of the motorcycle, those produced by
them were found to be forged. Accordingly, they were brought
to the police station and having found that they were using
forged documents for the said motorcycle, they were arrested.



The learned counsel for the petitioner submits that he himself is the victim of circumstances inasmuch as he had purchased the motorcycle just a week ago considering it to be a bona fide transaction. He had little knowledge that he has been provided the motorcycle along with forged documents for which he has already suffered by being in jail since 19.6.2021 (as stated in para-10 of the bail application).

Considering the aforesaid facts that he is in jail since 19.6.2021 and charge-sheet has been submitted; this Court is inclined to grant him the privilege of bail. However, since he has criminal antecedent, certain conditions need to be imposed while releasing him on bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bhagalpur, in connection with Ishakchak P.S. Case No. 72 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members 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 reasons will entail his cancellation of bail by the Trial Court itself;

(iii) 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)

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