

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57902 of 2021

Arising Out of PS. Case No.-236 Year-2020 Thana- SANDESH District- Bhojpur

SRI RAM KUMAR @ SRI RAM SINGH Son of Ram Basliram Singh
Resident of Village- Repura, P.S.- Sandesh, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Bihari Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

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 Sandesh P.S.
Case No. 236 of 2020 registered for the offences punishable
under Sections 379, 413, 414, 34 of the IPC.

According to prosecution case, one stolen motorcycle
was recovered from the house of co-accused Shivam Kumar and
petitioner is said to be associate of co-accused Shivam Kumar.

Learned counsel for the petitioner submits that
petitioner has committed no offence and he has falsely been



implicated in the present case. It is further submitted that name of the petitioner has been transpired only on the basis of confessional statement of co-accused Arjun Kumar made in connection with Sandesh P.S. Case No. 235 of 2020. He further submits that nothing has been recovered either from the house of the petitioner or from his conscious possession. Petitioner is in custody since 19.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries five criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 236 of 2020, subject to 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 cancelled 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)

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