

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56692 of 2021

Arising Out of PS. Case No.-885 Year-2020 Thana- SUPAUL District- Supaul

SANTOSH KUMAR SINGH S/o- Late Birendra Prasad Singh Resident of
Village- Sadiha, P.S.- Simari Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh,Adv

For the Opposite Party/s : Mr.Braj Kishore Pd.,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Supaul P.S.Case No.885 of 2020 registered for the offence under Sections 379 and 411 of the Indian Penal Code.

The prosecution case, in short, is that on 29.12.2020, the informant had gone to Supaul Court and around 12.00 P.M. parked his bike at Old Building and got engaged in finishing his court work. Around 4.30 P.M. after finishing his work when he reached the place where he had parked his bike he saw his bike was missing. He tries his best to find out his bike but failed and



finally lodged written complaint. On the basis of written complaint of informant, police drew up FIR.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case. He further submits that the name of the petitioner has transpired on the basis of the confessional statement of the witnesses. He further submits that there is no specific allegation against the petitioner in the FIR. He further submits that nothing has been recovered from the possession of the petitioner rather the recovery has been made from an open place and the petitioner is in custody since 09.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No.885 of 2020 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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