

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57147 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- BAUNSI District- Banka

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Gautam Kumar @ Gautam Kumar Rai, S/O Mantu Rai, R/O Village-Panday
Bandh, P.S-Bounsi, District-Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-04-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within two weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Bounsi P.S. Case No. 94 of 2021 registered for
the offences punishable under Sections 379/411 of the Indian
Penal Code. He is in custody since 26.05.2021. The petitioner
has got no criminal antecedent.

Learned counsel for the petitioner submits that the
informant in the first information report alleged that his
motorcycle bearing registration no. JH17F-3170 has been stolen
away in front of his house.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the name of the petitioner has transpired in the confessional statement of co-accused Sanjay Kumar Mandal and the petitioner has no criminal antecedent.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the name of the petitioner has transpired in the confessional statement of co-accused Sanjay Kumar Mandal, it is a case under Sections 379/411 of the Indian Penal Code and the petitioner has remained in custody for 11 months having no criminal antecedent, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No. 94 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

