

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58793 of 2021

Arising Out of PS. Case No.-131 Year-2020 Thana- RAJPUR District- Rohtas

BITTU KUMAR @ BITTU YADAV S/o Dharmendra Singh R/o village-
Pawani, P.S.- Nasriganj, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 Let the defects, if any, be removed within four weeks
from today.

Learned counsel for the petitioner seeks permission to
make necessary correction in the date of remand as mentioned
in Para-8 of this petition

Counsel for the petitioner is permitted to make
necessary correction in Para -8 of this petition.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Rajpur P.S.Case No. 131 of 2020 for the offences
punishable under Sections 457 and 380 of the Indian Penal
Code.

As per the prosecution case, it is alleged that on



23.08.2020, while the informant and his family members were sleeping on his roof, there was theft in his house and two mobiles, ornaments worth Rs. 40,000/- and cash of Rs. 30,000/- were taken away by the unknown thief.

Learned counsel for the petitioner submits that though the occurrence of theft was taken place on 23.08.2020 but the F.I.R has been instituted on 25.08.2020. It is further submitted that petitioner is not named in the F.I.R and he has been remanded in the present case only on the suspicion from Rajpur P.S.Case No. 122 of 2020. It is next submitted that petitioner has neither put on T.I.P nor any theft articles has been recovered from possession of this petitioner. It is lastly submitted that investigation , has already concluded and charge sheet has been submitted and there is no chance of his absconding and tempering with the evidence.

The learned A.P.P drawn the attention of this court towards the criminal antecedent of the petitioner. In reply to the aforesaid submission it is submitted on behalf of the petitioner that out of three cases, the petitioner is on bail in one case.

Having heard the rival contentions of the parties and taking into consideration the fact that F.I.R has been instituted against unknown persons and this petitioner has been remanded



in the present case from Rajpur P.S.Case No. 131 of 2020 and he is in custody since 22.03.2021 , let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1stclass, Bikramganj, Rohtas in connection with Rajpur P.S.Case No. 131 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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