

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.52841 of 2022**

Arising Out of PS. Case No.-231 Year-2022 Thana- SONO District- Jamui

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BRAJESH KUMAR S/o Naresh Singh Resident of Village- Gangra, P.S.-
Gidhaur, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-12-2022 Learned counsel for the petitioner undertakes to
remove the SR defects by 16th January, 2023.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Sono P.S. Case No. 231 of 2022 registered
for the offences punishable under Section 413, 414, 120B/34 of
the Indian Penal Code. He is in custody since 22.07.2022 having
one criminal antecedent as stated in paragraph '3' of the
application.

As per the prosecution story, the informant has
alleged that while he got information that Subhash Kumar and
Adhir Kumar have purchased a theft motorcycle and using the
same, he along with other police personnel reached at Bhelwa



Mohanpur village at the house of Subhash Kumar and caught him and he disclosed that the said motorcycle is of theft and Adhir Kumar had purchased from one Ankit Kumar. Thereafter Ankit was apprehended by police, he disclosed the name of this petitioner and said that he had purchased the said motorcycle from him.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing incriminating articles has been recovered from the possession of the petitioner, however he is in custody since 22.07.2022.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has remained in custody in connection with this case since 22.07.2022, as per submissions there is no recovery from the possession of this petitioner, investigation against him is complete and his presence may be secured in course of trial, therefore, this Court directs release of the petitioner above named on bail on furnishing of 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, Jamui, in connection with Sono P.S.



Case No. 231 of 2022, 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 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.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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