

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62834 of 2021

Arising Out of PS. Case No.-340 Year-2021 Thana- RAJAOLI District- Nawada

DEEPAK RAJBANSHI Son of Umesh Rajbanshi Resident of Village -
Kairikhap, P.S. - Rajauli, District – Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Rajauli PS case no. 340 of 2021 instituted for the offences
punishable under Section 379 of Indian Penal Code.

The allegation is regarding the motorcycle of
the informant having been stolen by unknown miscreants,
whereafter, the petitioner was apprehended by the police and
upon interrogation, the petitioner is stated to have disclosed
about the involvement of his accomplice specially one namely
Nitish Kumar. The police is stated to have reached the house of
the said co-accused person namely Nitish Kumar and a stolen
motorcycle was recovered from the *verandah* of the house of the
said Nitish Kumar.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 09.07.2021. The learned counsel for the petitioner has further submitted that only after the petitioner was arrested in the present case, he has been implicated in 07 other criminal cases which are pending against him. It is also submitted that a bare perusal of the said 07 criminal cases would show that all of them have been instituted in the month of June, 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the stolen motorcycle has not been recovered from the possession of the petitioner, no Test Identification parade has been held so as to connect the petitioner with the alleged crime and the petitioner is languishing in custody since about 09 months, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the



satisfaction of learned court of C.J.M., Nawada in connection
with Rajauli PS case no. 340 of 2021.

(Mohit Kumar Shah, J)

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