

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65181 of 2021

Arising Out of PS. Case No.-256 Year-2021 Thana- RAJNAGAR District- Madhubani

RAJESH KUMAR CHAUDHARY Son of - Raj Kumar Chaudhary Resident
of Village - Karhiya, P.S.- Raj Nagar, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-05-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Md.
Ataur Rahman, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Rajnagar P.S. Case No. 256 of 2021
registered for the offences punishable under Section 414 of the
Indian Penal Code. He is in custody since 02.09.2021 having
one criminal antecedent as stated in paragraph '3' of the
application.

As per the prosecution story, the informant has
alleged that while he along with other police personnel were on
patrolling duty, he got informant that Rajesh Kumar Choudhary
(the petitioner) had kept a stolen bullet motorcycle and smoking



near the Mahavir temple. Thereafter he reached there and with the help of other police force caught the petitioner and enquired about the motorcycle but the petitioner did not produce any chit of paper of the said motorcycle.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Petitioner has been made accused only on mere suspicion and he has no concern with the motorcycle.

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

Having regard to the submission that it is a case under Section 414 I.P.C. in which maximum punishment is three years and the petitioner has remained in custody for over six months, 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, Madhubani in connection with Rajnagar P.S. Case No. 256 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 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	
---	--	---	--

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'.

