

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66129 of 2021

Arising Out of PS. Case No.-131 Year-2020 Thana- ARER District- Madhubani

Sumit Kumar Das, Son of Late Saryug Das, Resident of Village - Sarisab
Ladaut, Ratan Chowk, P.S.- Benipatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amish, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-05-2022 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.Md.
Mushtaque Alam, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Arer P.S. Case No.131/2020 registered for the
offences punishable under Section 379 of the Indian Penal
Code. He is in custody since 05.02.2021. The petitioner has got
one criminal antecedent.

Learned counsel for the petitioner submits that, as per
the prosecution story, the motorcycle of the informant was theft
by unknown thieves from his house.

Learned counsel for the petitioner submits that the



petitioner is not named in the FIR and he has been falsely implicated in this case due to village politics. Learned counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 05.02.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that it is a case under Section 379 of the I.P.C. in which the petitioner has remained in custody since 05.02.2021, investigation against him is complete and his presence may also be secured in course of investigation, 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 Additional Chief Judicial Magistrate-IIIrd, Benipati in connection with Arer P.S. Case No.131 of 2020, 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)

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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'.

