

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70944 of 2021

Arising Out of PS. Case No.-213 Year-2021 Thana- PAKARIBARAW District- Nawada

Arun Chauhan Son Of Basudeo Chauhan Resident Of Village - Jhilwariya ,
P.S- Pakribarawan, Dist- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-06-2022 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 Mr. Sanjay Kumar, learned A.P.P. for the State.

Learned counsel for the petitioner is permitted to make corrections in paragraph '1' of the application in course of the day.

Petitioner, in the present case, is seeking regular bail in connection with Pakribarawan P.S. Case No. 213 of 2021 registered for the offences punishable under Sections 379, 395, 412 of the Indian Penal Code. He is in custody since 01.08.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, on 20.07.2021 the



informant had gone with his neighbour Rajkaran Chauhan to his relative by motorcycle and while they were returning at about 8:00 P.M., he kept his mobile in the dickey of motorcycle and had gone to meet the call of nature after parking his motorcycle by the side of the road, in the meantime, two persons came there on motorcycle and also parked their motorcycle near the motorcycle of the informant and committed theft of the motorcycle of the informant and fled away.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the looted mobile has been recovered from the possession of co-accused Sidharth Chauhan and petitioner has no concern with him, however he is in custody since 01.08.2021.

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

Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused Ranjit Chauhan and the alleged stolen motorcycle has been recovered from the possession of co-accused Sidharth Chauhan and further that the petitioner has not been identified by the informant as also he has remained in custody since



01.08.2021, 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 Sri Diwakar Kumar, learned J.M. 1st Class, Nawada in connection with Pakaribarawan P.S. Case No. 213 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/-

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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'.

