

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71739 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- RAFIGANJ District- Aurangabad

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RAMESH KUMAR, Son of Kallu Ram @ Kallu Dash, Resident of Village -
Gopalpur, P.O.- Bhadwa, P.S.- Rafiganj, District - Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2022 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. Anuj
Kumar Srivastava, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Rafiganj P.S. Case No. 200 of 2020 registered

for the offences punishable under Section 461/379 of the Indian

Penal Code. He is in custody since 02.09.2021. The petitioner

has got one criminal antecedent.

Learned counsel for the petitioner submits that as per

the prosecution story, some unknown thieves committed theft in

the mobile shop of the informant in the night of 22.08.2020 in

which cash Rs. 15,000/- and goods worth Rs. 1,00,000/- were



taken away.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that name of the petitioner has transpired in the confessional statement of co-accused Gautam Kumar and nothing has been recovered from the possession of the petitioner.

Mr. Anuj Kumar Srivastava, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the name of this petitioner has transpired in the confessional statement of the co-accused Gautam Kumar but there is no recovery of any incriminating article from the possession of the petitioner, he has remained in custody since 02.09.2021, investigation against him is complete and his presence may also be secured in course of trial, 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 Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 200 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 steps 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

