

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11923 of 2023

Arising Out of PS. Case No.-478 Year-2022 Thana- BAKHTIYARPUR District- Patna

RANJAY KUMAR SON OF DEVENDRA SINGH R/O VILL.- DUMRI,
P.S.- DULHIN BAZAR, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 26.09.2022 in connection with Bakhtiyarpur P.S. Case No.478/2022, F.I.R. dated 26.09.2022, for the offences punishable under Sections 461, 379 and 411 of the Indian Penal Code.

According to prosecution case, the petitioner along with co-accused, namely, Raushan Kumar are alleged to have been caught by the police while both the accused persons are trying to commit theft of a jio mobile, which has been seen in C.C.T.V. camera.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been



implicated in the present case on the basis of theft articles, which have been recovered from the possession of the petitioner. He further submits that it appears from the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the road side and the petitioner has no concern with the alleged recovery of theft articles. He further submits that there is non-compliance of Section 100 of the Cr.P.C. and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 26.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 478/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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