

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20318 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- GAYA KOTWALI District- Gaya

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Ramesh Rajwanshi @ Ramesh Rajbanshi Son Of Munshi Rajwanshi Resident
Of Village Kharaundh Ps Sirdalla Dist Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Kotwali
P.S. Case No. 212 of 2022 dated 18.04.2022 registered for the
offence punishable under Section 379 of the Indian Penal Code.

3. The prosecution story, in short, is that informant parked
his motorcycle in front of his shop and after sometime he found
his bike has been stolen by unknown person.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is submitted that nothing has been recovered from the
possession of the petitioner and the petitioner has no knowledge
about the theft of motorcycle. The petitioner is remanded in an



excise case from Rajauli P.S. Case No. 249 of 2022 in which the petitioner has been granted bail. The petitioner is in custody since 08.11.2022, having four cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 212 of 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present



case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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