

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39731 of 2023

Arising Out of PS. Case No.-31 Year-2022 Thana- RAJAON District- Banka

Pappu Thakur, Son Of Ashok Thakur, Resident Of Maranga P.S Khajanchi
Hat District Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rajoun P.S. Case No. 31 of 2022 registered on 23.01.2022 for the alleged offences under Sections 395 and 412 of the Indian Penal Code.

3. This is the second attempt of the petitioner to seek bail from this Court. Earlier his prayer for bail was rejected by this Court vide order dated 22.08.2022 passed in Cr. Misc. No. 26250 of 2022.

4. As per prosecution case, four unknown motorcycle borne miscreants intercepted the informant and snatched his motorcycle, mobile phone and a gold chain at gun point. They also transferred Rs. 5000/- after asking for his pin of google pay.



The informant was assaulted and the miscreants took away all documents of the motorcycle including driving licence. The name of the petitioner transpired during investigation as one of the accused persons.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The alleged recovery does not disclose the place of recovery and it appears to be vague. It has been falsely shown to be recovered from the petitioner. The petitioner has been made accused in this case on the basis of confessional statement of co-accused Shakti Yadav. A number of co-accused persons have been granted bail by this Court as well as other Co-ordinate Bench vide order dated 24.08.2022 passed in Cr. Misc. No. 27779 of 2022, order dated 02.02.2023 passed in Cr. Misc. No. 58415 of 2022 and order dated 20.02.2023 passed in Cr. Misc. No. 62582 of 2022, respectively. The petitioner is in custody since 10.02.2022 and charge-sheet has been submitted.

6. Learned APP opposes the prayer for bail submitting that recovery of looted motorcycle was made from this petitioner.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and also considering the



submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6th-cum-Special Judge, POCSO, Banka/concerned court in connection with Rajoun P.S. Case No. 31 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

