

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47018 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- NADI P.S. District- Patna

RAUSHAN KUMAR S/o Sudhir Singh @ Rajkumar Singh Resident of
Mohalla- Gyanchak, Didarganj, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Nadi P.S. Case No. 180 of 2021, registered for the offence punishable under Section 379 of the Indian Penal Code.

The allegation is regarding the motorcycle of the informant having been stolen by unknown miscreants.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 28.5.2022. The learned counsel for the petitioner has further submitted that though it is admitted that the



petitioner was arrested in one another case in which it has been alleged that a stolen motorcycle was recovered from the petitioner, however, as far as the present case is concerned, there is no recovery from the petitioner, nonetheless, the said motorcycle is the one, which is a stolen property of the present case, which has been lodged by the informant on the allegation that his motorcycle was stolen by unknown miscreants.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that for the incident of recovery of stolen motorcycle from the petitioner, one another case bearing Didarganj P.S.Case No. 147 of 2021 has been lodged, apart from the fact that the petitioner is languishing in custody since



28.5.2022, though I deem it fit and proper to direct for release of the petitioner on regular bail, however, subject to certain condition on account of his bad antecedent.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Patna City, District-Patna in connection with Nadi P.S. Case No. 180 of 2021, corresponding to 2411 of 2021.

It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10:00 am. on every Monday, starting from the day he is released on bail, and in case of failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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