

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52014 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Golu Kumar @ Brajesh Kumar Singh Son Of Ravindra Singh Resident Of
Village- Balesara ,Police Station- Daudpur, District -Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
01.06.2023 in connection with Gopalganj (Town) P.S. Case No.
271 of 2023, F.I.R. dated 06.04.2023 for the offences punishable
under Sections 413, 414 of the Indian Penal Code.

3. According to prosecution case, in brief is that, the
informant got secret information from the S.H.O. Daudpur
about sale and purchase of stolen Bolero vehicle by some
unknown persons. The informant on getting the said information
on constituting raiding party came to the place at Jin Baba at
12:50 P.M. where on seeing the police party the persons present
there started fleeing from there, but three persons were



apprehended, who disclosed their names as Anand Kumar Mishra, Monu Kumar and Dilkhush Kumar. On search from possession of Anad Kumar one Samsung company mobile was recovered, from possession of Monu Kumar one mobile was recovered and from possession of Dilkhush Kumar mobile of Apple company and one Mahendra Bolero vehicle bearing Registration No.BR04N-3749 was recovered.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of disclosure made by the co-accused persons namely, Anand Kumar, Monu Kumar and Dilkhush Kumar. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner rather recovery has been made from the possession of other co-accused persons and except the disclosure made by co-accused persons, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the petitioner has also made accused in Daudpur P.S. Case No.128 of 2023 under Section 379 of the I.P.C. for the same occurrence and the petitioner is in judicial custody since 01.06.2023.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submits that petitioner is on bail in four cases out of five cases as stated in para-3 of the bail petition.

6. 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 Additional Chief Judicial Magistrate-1st, Gopalganj in connection with Gopalganj (Town) P.S. Case No. 271 of 2023, 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)

mdrashid/-

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

