

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55630 of 2023

Arising Out of PS. Case No.-169 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

RAKESH KUMAR S/O SRI SANJAY PRASAD R/O VILLAGE-
BANBARA, PS. CHIKSAURA, DISTT. NALANDA AT PRESENT
RESIDENT OF VILLAGE- BARI-PAHARI, PS. AGAM KUAN, DISTT.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 29.03.2023 seeks
bail, in connection with Ram Krishna Nagar P.S. Case
No.169/2023, dated 15.03.2023, for the offences punishable
under Sections 379 of the IPC but the charge sheet has been
submitted under Sections 379 and 411 of the IPC.

3. According to prosecution case, the motorcycle of
the informant was stolen away by some unknown persons.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that from
perusal of the F.I.R., it appears that nothing incriminating has



been recovered from conscious possession of the petitioner rather the recovery has been made from the road side and the petitioner was standing near the place of recovery. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.03.2023.

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

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 Smt. Komal Sandilya J.M. 1st class, Patna in connection with Ram Krishna Nagar P.S. Case No. 169/2023, 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)

amit/-

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

