

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60730 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- DEODHA District- Madhubani

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Jitendra Rohita @ Munna, S/o Rajesh Rohita @ Rajesh Ku Rohita @
Kashindar Rohita, R/o Village- Baldiha, P.S.- Jaynagar, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 30-01-2023 Heard learned counsel for the petitioner and learned APP
for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Deodha P.S. Case No. 91 of 2022 registered under Sections 414 and 34 of the Indian Penal Code.

Petitioner was allegedly a pillion rider on the motorcycle which has been stopped by the informant (Assistant Sub-Inspector of Police). It is alleged that the same was driven by one co-accused Nasruddin. The petitioner and Nasruddin have failed to produce documents showing their ownership of the vehicle in question. As per their disclosure, two other stolen motorcycles have been recovered from co-accused Ghuran Chaudhary and Manish Kumar Ray.

Learned counsel for the petitioner submits that it is a case of



false implication. The petitioner has no antecedents and even as per prosecution case, he was a pillion rider. He has thus become a victim of the circumstances, though he has no concern with the motorcycle nor co-accused Ghuran Chaudhary or Manish Kumar Ray. He is stated to be in custody since 23.08.2022, and investigation is complete.

Learned APP has opposed the prayer for bail.

Considering the allegations made in the FIR, the submissions advanced by learned counsel for the petitioner, petitioner's clean antecedents, as also the fact that investigation is complete, this Court is inclined to allow the prayer for bail.

Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M-I, Madhubani, in Deodha P.S. Case No. 91 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Sumit/Shashank-

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