

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65989 of 2023

Arising Out of PS. Case No.-291 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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Rohit Kumar Sah S/O Rameshwar Sah R/O Village- Baliyadih, P.S- Benipatti,
Distt.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Sadar (Mabbi) P.S. Case no. 291 of 2017 registered under sections 401, 402, 414 and 120B of the Indian Penal Code.

3. As per the prosecution case it is stated by the informant that co-accused Nikesh Kumar Jha and Amit Rout were arrested and two motorcycles without any documents were recovered from their possession. Nikesh Kumar Jha took the name of this petitioner before the police.

4. It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and concocted. As would be evident from the order of the learned trial Court the name of the petitioner transpired in the statement



of Nikesh Kumar Jha. The said Nikesh Kumar Jha has been enlarged on bail. No Pickup vehicle has been recovered from outside the door of the house of this petitioner. The petitioner in custody since 8.6.2023 and Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against this petitioner in the FIR, the name of the petitioner transpiring in the statement of the co-accused Nikesh Kumar Jha who has himself been enlarged on bail, the petitioner having remained in custody since 8.6.2023 and charge-sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sadar (Mabbi) P.S. Case no. 291 of 2017 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga.

7. In view of the fact that the case is of the year 2017 and the petitioner was taken into custody only in the year 2023, it is directed that the petitioner shall cooperate in the trial and shall remain properly represented on each day. In case the



learned trial Court is of the opinion that case/trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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