

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71185 of 2023

Arising Out of PS. Case No.-479 Year-2023 Thana- RAMPUR District- Gaya

Abhijeet Kumar, Son of Ajay Paswan, R/o vill - Kaldaspur, P.s. - Chandauti,
Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rampur P.S. Case No. 479 of 2023 registered on 24.07.2023 for the alleged offences under Sections 414, 406, 420, 467 and 468/34 of the Indian Penal Code.

3. As per prosecution case, during checking of vehicles, petitioner and other co-accused were found riding a stolen motorcycle. Co-accused disclosed that he and the petitioner used to do trade of illicit liquor on this stolen motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the conscious possession



of the petitioner and the keys of the motorcycle and mobile phone have been recovered from the possession of co-accused Baiju Kumar. The confessional statement of co-accused Baiju Kumar was recorded but he did not make any allegation against the present petitioner. Petitioner has no concern with acts of co-accused Baiju Kumar. Petitioner is a student of B.Sc Part-I and has been preparing for competitive examination. The name of the petitioner was dragged in this case due to political rivalry. The petitioner is in custody since 25.07.2023 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that petitioner and co-accused was apprehended with stolen motorcycle.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya/concerned court in connection with Rampur P.S. Case No. 479 of 2023, subject to the conditions



mentioned in Section 437(3) of the Code of Criminal Procedure
and also the following conditions :

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bonds of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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