

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18060 of 2024

Arising Out of PS. Case No.-671 Year-2023 Thana- BARH District- Patna

RAHUL KUMAR Son of Lagan Paswan @ Ram Lagan Paswan Resident of
Village-Atnana (Atnawan), Laxmasthan, Police Station-Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Arun, learned counsel for the petitioner
and Mr. Nitya Nand Tiwary, learned APP for the State.

2. The petitioner is apprehending his arrest
connection with Barh P.S. Case No. 671 of 2023, F.I.R. dated
12.10.2023 registered for the offences punishable under
Sections 379, 414 of the Indian Penal Code.

3. Allegation against the petitioner is of committing
theft of e-rickshaw.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that from
perusal of the F.I.R. it appears that the name of the petitioner has
been transpired on the basis of the confessional statement of co-
accused person namely Bikku and co-accused has stated that he



has sold the e-rickshaw to the petitioner. Learned counsel for the petitioner further submits that although as per seizure list one e-rickshaw has been recovered from the front house of the petitioner and it appears from the F.I.R. itself that the petitioner is a purchaser of e-rickshaw from co-accused person and he has no knowledge whether the e-rickshaw has been theft article or not.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Barh, Patna in connection with Barh P.S. Case No. 671 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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)

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