

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21130 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- BARABAR TOURIST District- Jehanabad

Bajrangi @ Rakesh Kumar Son Of Ishwari Yadav Resident Of Village -
Totwa Bigha (Sultanpur), P.S. - Bishunganj, District - Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Dharendra Kumar Sinha, learned counsel
for the petitioner as well as Mr. Ashok Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barabar Prayatak P.S. Case No.43 of 2023, F.I.R. dated 27.03.2023 registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person were apprehended with a stolen motorcycle during patrolling of the police.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case on the basis of the disclosure made by the co-accused persons, namely, Dipu Kumar and from perusal of the FIR, it appears that the motorcycle in question is recovered from the possession of co-



accused person and as per confessional statement of the co-accused persons petitioner has fled away from the place of occurrence and except the aforesaid no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State, on the other hand vehemently opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the FIR it appears that the petitioner was involved in the present crime in question, apart from that petitioner has carries two criminal antecedents other than the present one, but fairly submits that on the basis of the paragraph-3 of the bail petition that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts, 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 anticipatory 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 Judicial Magistrate, Ist Class, Jehanabad in connection with Barabar Prayatak P.S. Case No.43 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

(i) 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 bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) 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 antecedents, the court below shall take step for cancellation of anticipatory 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)

Prakash Narayan

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

