

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55584 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- MADANPUR District- Aurangabad

Amrendra Kumar Singh @ Rintu Singh, Son of Vishwanath Singh, R/V-
Village- Jamua, P.S.- Godari, Distt.- Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 27-09-2024 Heard Mr. Birendra Kumar Singh, learned Advocate

appearing on behalf of the petitioner and Mrs. Sangeeta Sharma,

learned Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioner
who is in custody in connection with Madanpur P.S. Case No.
218 of 2024 registered for the offence punishable under Section
379 of the Indian Penal Code.

3. Allegedly while the consignment of air conditioner
of the informant was being carried in a truck bearing registration
no. BR-2F-5387, in the mean while, some of the miscreants
stolen away 27 indoor-outdoor A.C., causing a loss to the tune
of Rs. 7,78,554.39/-. The allegation has been levelled that some
unknown thieves in collusion with the truck driver and khalasi
have committed the crime.



4. Learned Advocate appearing on behalf of the petitioner contended that the petitioner is not named in the FIR. however, during the course of investigation one Md. Shahid who is said to be driver of the truck bearing registration no. UP 14FT2610, which was used for the crime, was apprehended and on the disclosure made by him, the police conducted raid. From the old house of the petitioner one stolen air conditioner was recovered and further 11 stolen air conditioner were recovered from the new house of the petitioner, which was in the name of the father of the petitioner. It is further contended that in fact co-accused Md. Shahid had taken that house on rent and it is he who had kept the air conditioner in the rented house and from whom the petitioner had purchased one air conditioner. The recovery has been made from the rented house of the petitioner which was at that point of time owned by co-accused Md. Shahid. The petitioner has, though one criminal antecedent as has been mentioned in paragraph no. 3, but he is on bail in the said case. It is lastly contended that be that as it may, now the petitioner has been incarcerated since 11.06.2024, the investigation is complete and the chargesheet has been submitted.

5. On the other hand, learned Additional Public



Prosecutor for the State vehemently opposes the bail application and submits that the recovery of 12 air conditioner from both the houses of the petitioner speaks about his involvement in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the materials collected during the course of investigation, especially the house, in question, from where the 11 air conditioner has been recovered was on rent in favour of co-accused, coupled with the fact that the crime in question is triable by the Magistrate and the investigation is complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad(Bihar) in connection with Madanpur P.S. Case No. 218 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.



(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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