

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59782 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- RAMPUR District- Gaya

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Rinku Pandit @ Bakar Chorwa @ Bakar Chokha S/o Banarsi Pandit @
Banarsi Prajapat R/o Mohalla-Godabri Kumhar Toli Nai Sadak, Chand
Chaura, P.S. - Rampur, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-08-2024 Heard Mr. Arvind Kumar Singh, learned counsel for

the petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner seeks regular bail, who is in custody
in connection with Rampur P.S. Case No. 224 of 2024 registered
for the offences punishable under Sections 414, 420, 467 and
468/34 of the Indian Penal Code.

3. The police in course of patrolling, on suspicion,
tried to intercept a motorcycle over which four persons were
found seated. However, noticing the police party, three of them
succeeded in fleeing away and the petitioner was apprehended
by the police. On demand, the petitioner failed to produce any
paper of the motorcycle. In course of inquiry, it was found that



the seized motorcycle was registered in the name of one Manoj Kumar Singh and the accused persons were plying the motorcycle affixing fake number plate. With regard to the theft of the motorcycle, earlier an FIR has been instituted bearing Bhojpur (Ara) Nagar P.S. Case No. 696 of 2021.

4. Learned counsel for the petitioner contended that the narratives made in the FIR clearly suggest that four persons were riding on a motorcycle and three of them managed to escape and this petitioner was nabbed. The petitioner is neither any concern with the seized motorcycle nor he was involved in theft of the said motorcycle. However, on the alleged date of occurrence, as he was along with other three accused persons, his name has been implicated in this case on account of his long list of criminal antecedent, as has been disclosed in para-3 of the bail application. It is next contended that be that as it may, all the offences as alleged in the FIR are triable by the Magistrate and now the petitioner has been incarcerated since 14.05.2024. Investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the petitioner is carrying seven criminal antecedent over his head and he was apprehended along with a stolen motorcycle with



fake number plate.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the offences are triable by the Magistrate and now the charge-sheet has been submitted, let the petitioner, named above, 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 Chief Judicial Magistrate, Gaya in connection with Rampur P.S. Case No. 224 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.

(Harish Kumar, J)

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