

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78381 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- KALYANPUR District- East Champaran

Rajkapoor @ Rajkapoor Kushwaha Son of Rajeshwar Prasad Resident of
village- Gariba, Po- Gariba Ps- Kalyanpur, District - East Champaran, Bihar-
846001

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 400 of 2023 instituted for the offence
under Section 379 of the Indian Penal Code.

3. As per prosecution case, some unknown miscreants
have stolen the motorcycle of the informant. It is further alleged
that the informant has kept cash of Rs. 30,288/- in the said
motorcycle's dickey.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-11-2023. Petitioner
bears five criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Rahul Kumar, and the same has no evidentiary value in the eye of law. Petitioner is remanded in this case from Kalyanpur P.S. Case No. 425 of 2023. Nothing has been recovered from the possession of the petitioner. It is submitted that police after investigation has already submitted charge sheet in this case. Other co-accused have been granted bail by this Court, *vide* order dated 09-05-2024, passed in Cr. Misc. No. 35564 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Kalyanpur
P.S. Case No. 400 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

