

**(2021) 02 PAT CK 0112**

**Patna High Court**

**Case No:** Criminal Miscellaneous No. 37622 Of 2020

Ranjit Kumar @Ranjit Mahto

APPELLANT

Vs

State Of Bihar

RESPONDENT

**Date of Decision:** Feb. 8, 2021

**Acts Referred:**

- Indian Penal Code, 1860 - Section 379

**Hon'ble Judges:** Ahsanuddin Amanullah, J

**Bench:** Single Bench

**Advocate:** Sanjay Kumar, Veena Rani Prasad

**Final Decision:** Disposed Of

**Judgement**

1. Heard Mr. Sanjay Kumar, learned counsel for the petitioner and Ms. Veena Rani Prasad, learned Additional Public Prosecutor (hereinafter referred to as the "APP") for the State.

2. The petitioner is in custody in connection with Dumra PS Case No. 30 of 2020 dated 25.01.2020, instituted under Section 379 of the Indian Penal Code.

3. The allegation against the petitioner is that he had stolen the motorcycle of the informant.

4. Learned counsel for the petitioner submitted that the FIR is against unknown persons and on the confessional statement of co-accused Ramesh

Kumar @ Bantha he has been made accused in the present case and two other cases. It was submitted that neither there is any recovery from him

nor he has been identified by any person. Learned counsel submitted that the petitioner is in custody since 12.05.2020.

5. Learned APP submitted that the co-accused has taken the name of the petitioner as being party to the crime.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail

upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief

Judicial Magistrate, Sitamarhi in Dumra PS Case No. 30 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the

petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also

give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the

evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail

bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two

consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.