

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45292 of 2017

Arising Out of PS.Case No. -149 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Vakil Rai s/o Bhajan Rai Resident of village- Pranpur, P.s.- Tisiauta,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Man Mohan Kumar, Advocate
For the S t a t e : Mr Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **20-09-2017** Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 414/34 of Indian Penal Code.

During course of vehicle checking, one Ranjan
Kumar Rai and Shrawan Kumar are said to have been
apprehended with allegedly stolen motorcycles. It is submitted by
the counsel for the petitioner that on the basis of statement made
by the said two persons, the petitioner has been implicated in this
case. The allegation is that subsequent to such disclosure made by
these two persons, three motorcycles have been recovered from
the petitioner in respect of which no first information report has
been lodged and there is no allegation that the said motorcycles
were stolen. Prior to the instant case, it is submitted by the



petitioner, that there is no criminal antecedent against him.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Mahua Police Station Case No 149 of 2017 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.*
- (iv) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*
- (v) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

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