

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72950 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- BELHAR District- Banka

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MOHAN KUMAR @ MOHAN MANDAL Son of Umesh Mandal Resident
of Village - Bhojpur, P.S.- Belhar, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-12-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence
punishable under Section 414 of the Indian Penal Code.

Allegation is that petitioner was apprehended riding
stolen motorcycle without registration number during vehicle
checking.

It has been submitted on behalf of the petitioner that he is
innocent and has been falsely implicated in this case. Nothing has
been recovered from the possession of the petitioner. Petitioner is
in custody since 11.05.2019.

Considering the fact that stolen motorcycle was
recovered from the possession of petitioner and he having criminal
antecedent I am not inclined to enlarge the petitioner on bail at this
stage.

Hence, the prayer for bail of the petitioner is hereby



rejected.

However, it is observed that petitioner be released on bail **after framing of charge by the court below** upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Belhar P.S. Case No. 129 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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