

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77817 of 2018

Arising Out of PS. Case No.-338 Year-2018 Thana- BASANTPUR District- Siwan

Prakash Prasad son of Musafir Prasad, Resident of Village- Madhopur, P.S.-
G.B. Nagar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Aslam Ansari

For the Opposite Party/s : Mr.Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Basantpur P.S. Case No. 338 of 2018 registered for the
offence punishable under Sections 413, 414/34 of the Indian
Penal Code.

Informant is the police officer, who in his written
complaint has stated that he received a secret information that
some persons assembled at Basantpur Bazar for selling and
purchasing of theft motorcycle, on such information he
alongwith other police personnel reached there but seeing the
police personnel accused persons started fleeing and thereafter
they were caught hold. On search one motorcycle has been
recovered from the possession of petitioner.



Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, District- Siwan, in connection with Basantpur P.S. Case No. 338 of 2018 subject to the conditions that:-

(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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

veena/-

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

