

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27333 of 2020**

Arising Out of PS. Case No.-82 Year-2020 Thana- PATEPUR District- Vaishali

Mahesh Mahto, S/o Late Sakaldeo Mahto, Resident of Village-Mандаиди,
P.S-Patepur, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ansul, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 21-10-2020 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Sharda Kumari, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail in connection with Patepur P.S. Case No. 82 of 2020 registered for the offences punishable under Sections 414, 420, 467, 468 of the Indian Penal Code.

The allegation against the petitioner is that he was found in possession of one stolen bike. The engine number and chassis number of the said bike were scratched with some ulterior motive and it is alleged that the petitioner was riding the



vehicle when it was intercepted by the checking party, he was thus arrested on the spot.

Learned counsel submits that the petitioner is innocent and has been falsely implicated in this case as the petitioner has not been arrested from the place of occurrence rather he has been apprehended from his house. He is in custody since 05.05.2020 and has no criminal antecedent.

Ms. Sharda Kumari, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner, considering that the petitioner is in custody since 05.05.2020 and has got no criminal antecedent, in the nature of the present case where the investigation is complete and it is not the submission of the State that the release of the petitioner is in any way result in tampering with the evidence or interfering with the course of trial, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 82 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

