

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14648 of 2021**

Arising Out of PS. Case No.-111 Year-2020 Thana- KOCHAS District- Rohtas

KINU CHAUHAN S/o Hari Prasad Chauhan R/o Village- Hakimpur, P.S.-
Itadhi, District- Buxar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey, Advocate
For the Opposite Party/s : Mr. Md. Ehteshamuddin, APP

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

2 24-06-2021 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 learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kochas P.S. Case No. 111 of 2020 registered for the offences punishable under Sections 414, 401 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story the informant who is a police officer got secret information that there persons are standing near Kochas subji mandi in order to commit theft of motorcycle. The informant along with the police party reached at the said place and on seeing



police these persons tried to flee away but two of them were arrested including the petitioner. Upon search a master key, used in opening any motorcycle and a motorcycle has been found from the possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on mere suspicion. It is further submitted that the petitioner is in custody since 01.07.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the nature of the offences alleged against the petitioner, the submission that the two persons were allegedly riding the motorcycle which is said to have been stolen, that the petitioner has remained in jail in connection with the present case since 01.07.2020, investigation against him is complete but the trial is not likely to be concluded in near future, he has otherwise no criminal antecedent, considering all these aspects of the matter, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas in connection with Kochas P.S. Case No. 111 of 2020 subject to the condition as laid down under Section 437 (3) 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, of 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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

