

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22814 of 2021

Arising Out of PS. Case No.-544 Year-2020 Thana- BARACHATTI District- Gaya

=====

GORA KUMAR @ GAURA KUMAR SON OF LATE SARFU MANDAL
RESIDENT OF VILLAGE- JAIGIR TOLA, ANJANIATAND P.S.
BARACHATTI, DIST.- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-12-2021 Heard Sri Binod Kumar Sinha, learned counsel for the

petitioner and Mr. Akshay Lal Pandit , learned A.P.P. for the

State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 06.12.2020,
seeks regular bail in connection with Barachatti P.S. Case No.
544 of 2020, for the offence punishable under Section 379 of the
Indian Penal Code.

The prosecution case, in brief, is that on 04.09.2020 at
about 8.00 P.M., while the informant was going to Barachatty on
his glamour motorcycle, he parked his motorcycle near Kandua
field and went towards the field, when he returned back then he
found his motorcycle missing and on suspicion that it may have



stolen by some unknown persons, the present case has been lodged.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in this case, which would appear from the seizure list prepared on 06.09.2020 from which it appear that the motorcycle was not recovered from the possession of the petitioner, but the same was found in Gajragarh Bazar. The petitioner is not named in the F.I.R. and the seizure-list has not been prepared in his presence as such the petitioner deserves to be released on bail.

Learned A.P.P. for the State has opposed the prayer for bail.

Having heard the rival submissions of the parties as well as from perusing the F.I.R. and the seizure-list, the petitioner has been named in the present case merely on suspicion he is in custody since 06.12.2020, the petitioner, above named, directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Sherghati, Gaya in connection with Barachatty P.S. Case No. 544 of 2020, subject to the 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.

(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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

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

