

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18725 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- SHEKHPURA District- Sheikhpura

GANESH KUMAR S/o- UCHIT SINGH @ UCHIT RAM Resident of
Village- Sarmaidan (Sarvnayan), P.S.- Sheikhpura, District- Sheikhpura.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dinkar Kumar,Advocate
Mr.Ajit Kumar,Advocate
For the Opposite Party/s : Mr.Binod Kumar No. 3,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2021 Learned counsel for the petitioner undertakes to remove
all the defects pointed out by the Stamp Reporter within four weeks
after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is seeking regular bail in
connection with Sheikhpura P.S. Case No. 06 of 2021 registered for
the offences punishable under Sections 379, 414 of the Indian Penal
Code.

Learned counsel for the petitioner submits that allegedly
the petitioner was found sitting on Apache motorcycle and on being
asked he did not produce the document of the motorcycle.

Learned counsel submits that the petitioner is innocent
and has falsely been implicated in the present case. It is submitted
that the petitioner has purchased the motorcycle from one Mitu



Ranjan Kumar of Mohalla Satbighi, P.S. and District Sheikhpura for consideration and he was not knowing that the said motorcycle is stolen one. The petitioner is in custody since 05.01.2021 having no criminal antecedent. It is submitted that the petitioner has to appear in ensuing recruitment process of constable starting from 14th of March 2021.

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

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case, he was apprehended when he was found with the motorcycle but the petitioner had explained that motorcycle in question has been purchased by him from Mitu Ranjan Kumar of Mohalla Satbighi, P.S. and District Sheikhpura for consideration, further submission that the petitioner has remained in jail in connection with the present case since 05.01.2021 and that he has to appear in the ensuing recruitment process of the constable beginning from Sunday i.e. 14th March 2021, let the petitioner above named be released on bail on furnishing bail bonds 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., Sheikhpura in connection with Sheikhpura P.S. Case No. 06 of 2021, 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 antecedents 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 bonds of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

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'.

