

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30853 of 2021

Arising Out of PS. Case No.-310 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

ROHIT TIWARI Son of Om Prakash Tiwari Resident of Village - Mathiya
Sriram, P.S.- Taraiya Sujan, Dist.- Kushinagar, Uttar Pradesh.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Singh, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Kuchaikot P.S. Case No. 310 of 2020 registered for the offences punishable under Section 414 of the I.P.C.

According to prosecution case, while the informant along with other police officials were checking the vehicle at Belwan near Hanuman Mandir, petitioner along with his motorcycle was apprehended. On query, he disclosed that seeing the police party he was trying to flee from there as the seized motorcycle was stolen property.



Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that he had taken the seized motorcycle from his friend and petitioner had no knowledge that the said motorcycle was stolen property. Charge sheet has already been submitted against the petitioner in the present case. Petitioner is in custody since 11.08.2020. Petitioner carries two criminal antecedent.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Gopalganj in connection with Kuchaikot P.S. Case No. 310 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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