

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36546 of 2020

Arising Out of PS. Case No.-288 Year-2019 Thana- MUSAHARI District- Muzaffarpur

Tabla @ Rajeev Kumar, aged about 23 years, Male, S/o Binod Mahto, R/o village- Madhopur, P.S.- Mushahari (Musahri), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the State : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 22-06-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Nachiketa Jha, learned counsel for the petitioner and Ms. Anita Kumari, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Mushahari PS Case No. 288 of 2019 dated 09.12.2019, instituted under Sections 414/401/467/468/420/471/120B of the Indian Penal Code.

4. The allegation against the petitioner is that when the police, on information that five persons had assembled and were negotiating sale of stolen motorcycle, reached the place, four persons were apprehended and one person fled away and the



apprehended persons disclosed that the person who had run away was the petitioner.

5. Learned counsel for the petitioner submitted that he has no connection with the stolen motorcycle and only because of inimical terms with the arrested persons, he has been named. It was further submitted that he is young and has no criminal antecedent and the Court may put stringent conditions for grant of bail to him.

6. Learned APP submitted that the petitioner was named by the four persons who were caught.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 6th, Muzaffarpur in Mushahari (Musahri) PS Case No. 288 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the



petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioner, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioner.

9. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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