

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6326 of 2021

Arising Out of PS. Case No.-261 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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MANSUB KHAN, Son of Moharram @ Moharam Khan, Resident of Village
- Nautan Gohpur, P.S.- G.B. Nagar (Tarwara), Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Dr. Mritunjaya Kumar Gautam, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-12-2021 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 Dr.
Mritunjaya Kumar Gautam, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with G.B. Nagar P.S. Case No.261 of 2019
registered for the offences punishable under Sections 413 and
414/34 of the Indian Penal Code. Petitioner has got no criminal
antecedent.

Learned counsel for the petitioner submits that as per
the allegation in the First Information Report one stolen bullet
motorcycle was recovered from a place in front of the house of



this petitioner.

Learned counsel for the petitioner submits that the place from which the motorcycle has been recovered does not belong to this petitioner and the co-accused namely Dhruv Shankar Dubey from whose Verandah a motorcycle was allegedly seized has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.83849 of 2019. It is submitted that the petitioner has got no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the allegation that a bullet motorcycle which was stolen one has been recovered from a place in front of the house of the petitioner, however, the submission being that the place from which the motorcycle has been recovered does not belong to this petitioner and further the co-accused namely Dhruv Shankar Dubey from whose Verandah a motorcycle was allegedly seized has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.83849 of 2019 and that the petitioner has got no criminal antecedent, this Court directs that the petitioner above-named in the event of his arrest or surrender within a period of



four weeks from today in connection with G.B. Nagar P.S. Case No.261 of 2019 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

(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'.

