

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6332 of 2021**

Arising Out of PS. Case No.-121 Year-2019 Thana- KORHA District- Katihar

Pravesh Singh Son Of Shiv Nandan Singh Resident Of Village- Basgarha,
Police Station- Korha, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 30-07-2021 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 Mr. Dinesh Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Korha P.S. Case No. 121 of 2019 registered for the offences punishable under Sections 414/420 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story that during course of investigation in connection with Falka P.S. Case No. 111 of 2019 the informant along with police officials raided the house of the co-accused Shiv Shankar Mahaldar and recovered one motorcycle from his courtyard but he could not produce any paper of the said motorcycle and he narrated before the

police that the said motorcycle kept by co-accused Sanoj Mandal and this petitioner Pravesh Singh.

Learned counsel for the petitioner submits motorcycle in question is recovered from the co-accused Shiv Shankar Mahaldar who disclosed that the said motorcycle was kept by the co-accused Sanjay Mandal and this petitioner. Learned counsel submits that Shiv Shankar Mahaldar has been granted bail by learned Sessions Judge, Katihar vide order dated 03.05.2019 in B.P. No. 243 of 2019. The petitioner is in custody since 13.03.2020 and so far as six cases stated in paragraph '3' the petitioner is on bail in the cases mentioned at serial nos. ii, iv, v and vi.

On the other hand, learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein the name of the petitioner has transpired in the statement of the apprehended accused and the motorcycle has been recovered from the possession of the said co-accused who has already been granted bail, this Court directs release of the petitioner on bail on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 121 of 2019, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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 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.

The application stands allowed.

(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'.