

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8182 of 2021**

Arising Out of PS. Case No.-97 Year-2020 Thana- BARACHATTI District- Gaya

Vijay Paswan Son Of Late Raghuni Paswan Resident Of Village - Manjura,
P.S.- Mohanpur, Dist.- Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 13-12-2021 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.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Barachatty (Mohanpur) P.S. Case No. 97
of 2020 registered for the offences punishable under Section 414
of the Indian Penal Code.

As per the prosecution story, A.S.I. along with other
police personnel while on patrolling duty received information
that a stolen motorcycle is parked at the house of this petitioner.
On this information, they reached there and found the said
motorcycle but there was no one in the house.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the stolen motorcycle was parked in the open veranda of the house of the petitioner. The petitioner has no criminal antecedent.

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

Having regard to the submissions that the recovery of the alleged stolen motorcycle has been made from the open veranda of the house and the petitioner was not seen there at the relevant time and further that the petitioner has got no criminal antecedent, this Court is inclined to direct that the petitioner above named in the event of his arrest or surrender within four weeks from today be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand/-) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Barachatty (Mohanpur) P.S. Case No. 97 of 2020, subject to the conditions as laid down under Section 438(2) 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.

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'.

