

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3145 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- GHOGHARDIHA District- Madhubani

Badri Yadav, Son of Ram Sundar Yadav, Resident of Village- Inarwa, P.S.-
Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Shubham, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Ghoghardiha P.S. Case No. 79 of 2021 registered for the alleged offences under Sections 379, 414 and 34 of the Indian Penal Code.

The prosecution case is that the petitioner was apprehended with a stolen motorcycle.

The learned counsel for the petitioner submits that petitioner has been named in the FIR only on the basis of suspicion. Though the motorcycle is said to be stolen, but no



FIR for its theft has been registered or brought on record. Learned counsel further submits that the petitioner is not even remotely connected with the alleged offence and was not present at the place of occurrence as alleged. Learned counsel further submits that though the petitioner is accused in other cases as well but he is on bail in all such cases. Charge-sheet has been submitted in this case and the petitioner is in custody since 22.06.2021.

Learned APP opposes the prayer for bail submitting that the petitioner was caught red handed with stolen motorcycle and he is having criminal antecedent.

Having regard to the submissions made hereinabove and considering the fact that charge-sheet has been submitted and the petitioner has remained in custody for more than a year, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 79 of 2021, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already



framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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