

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8233 of 2022

Arising Out of PS. Case No.-278 Year-2020 Thana- CHAPRA TOWN District- Saran

MADAN RAI Son of Late Din Dayal Rai Resident of Village - Chhota Telpa,
P.S.- Chapra Town, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Tiwary,Adv

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 379 of the IPC.

The motorcycle of the informant is said to have been stolen.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of self-confessional statement of co-accused, namely, Vicky Kumar. He further submits that nothing has been recovered from conscious



possession of the petitioner and number of co-accused persons have been granted bail by different Coordinate Benches of this Hon'ble Court and similarly situated co-accused, namely, Raju Rai @ Langar Rai has been granted bail vide order dated 13.04.2022 in Cr. Misc. No.60264 of 2021 and another co-accused, namely, Biru Mahto @ Viru Mahto @ Biru Kumar has also been granted bail vide order dated 09.02.2022 in Cr.Misc. No.60368 of 2021 by this Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries ten more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chapra Town P.S. Case No.278 of 2020, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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