

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10322 of 2022

Arising Out of PS. Case No.-500 Year-2021 Thana- PATRAKARNAGAR District- Patna

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AJEET KUMAR S/o Madan Mohan Singh R/o Village- Boariya, P.S.-
Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 28-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 379 of the
Indian Penal Code.

The prosecution case, in short, is that on 03.09.2021
at about 02:00 pm to 03:30 pm, the informant parked his Honda
Shine motorcycle bearing Registration No. BR-01BY-9046 and
after some time he found that parked motorcycle has been stolen
by unknown person.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is further



submitted that the petitioner was arrested with the alleged motorcycle in Malsalami P.S. Case No. 430 of 2021 which was registered under Excise Act, 2016 against the petitioner. Further, it is submitted that the alleged motorcycle was recovered from the road side not from the possession of the petitioner. It is submitted that the petitioner is in custody since 25.10.2021, charge-sheet has been submitted in the case and has antecedent of two cases.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-X, Patna in connection with Patrakar Nagar P.S. Case No. 500 of 2021, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



(3) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(4) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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