

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13697 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- SIKARPUR District- West Champaran

Praveen Kumar Ram, Son of Munna Ram, Resident of Village - Chhotaka
Murli, P.S.- Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate.
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 22-08-2022 Heard Mr. Sanjeev Kumar Shrivastava, learned
counsel appearing on behalf of the petitioner and Mr. Tarun
Prasad Mandal, learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Shikarpur P.S. Case No. 102 of 2021 for the offence punishable
under Section 414 of the Indian Penal Code.

Allegation against the petitioner is that a motorcycle
bearing Registration No. BR-22X-8668 was found near the
house of the petitioner. Petitioner was apprehended by the
raiding team because petitioner was not in possession of any
document relating to the said motorcycle nor he had claimed to
be owner of the said motorcycle.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious physical possession of the petitioner rather the motorcycle which was recovered was found in front of the house of the petitioner. Petitioner has remained in custody since 19.02.2021 and he is not connected with the co-accused in any manner or with the crime for which he has been made accused.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner submitting that the petitioner has got criminal antecedent of similar nature and it would not be in the interest of the society to release the petitioner on bail.

Having considered the allegation made in the F.I.R., it appears that the alleged motorcycle which has been recovered was found in front of the house of the petitioner, no incriminating article has been recovered from the conscious physical possession of the petitioner or from inside the house of the petitioner and the petitioner is in custody since 19.02.2021, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah,



West Champaran in connection with Shikarpur P.S. Case No. 102 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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