

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24588 of 2021**

Arising Out of PS. Case No.-315 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

AKASH PASWAN SON OF GANESH PASWAN R/O VILLAGE-
JOKHIPUR, P.S.- KRISHANAGARH, DISTRICT- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Ara
Muffasil P.S. Case No. 315 of 2020 registered for the offence
under Sections 411 and 414 of the Indian Penal Code.

The petitioner is said to be in possession of
motorcycle without any valid papers showing his ownership
over the said motorcycle.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,
nothing has been recovered from the conscious possession
of the petitioner. He further submits that although the



alleged recovery of the motorcycle has been shown from the possession of the petitioner, the petitioner has sufficiently been punished for the alleged recovery as the petitioner is rotting in judicial custody since 04.10.2020 i.e more than one year.

Learned A.P.P. for the State on the basis of material available on record as well as the case diary has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 A.C.J.M.-VII, Bhojpur, Ara in connection with Ara Muffasil P.S. Case No. 315 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 canceled 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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