

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15316 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- NAYA RAM NAGAR District- Munger

MITHUN KUMAR Son of Srikant Yadav Resident of Village - Singhia
English, P.S.- Naya Ram Nagar (Jafiasarai), District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 17 of 2022, arising out of Naya Ram Nagar
(Safia Sarai) P.S. Case No. 147 of 2021 lodged under Sections
413 and 414 of the Indian Penal Code.

As per the F.I.R., one Hero Glamour black and blue
motorcycle was seized from the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that no where come during the investigation that the
alleged recovered motorcycle from the house of the present
petitioner, is subject to theft case. He further submits that it is
mentioned in para 23 of the case diary (as per rejection order of

bail) that the recovered motorcycle belongs a person namely, Sadanand but whether Sadanand has filed any case for theft of motorcycle has no where mentioned. Learned counsel for the petitioner further submits that petitioner is in custody since 22.08.2021. He further submits that name of the petitioner has figured in this case only due to the reason that his criminal antecedent is not clean and there are in total 09 cases pending against him, in which, in all the cases petitioner is on bail.

Learned A.P.P. has opposed the prayer for bail.

In the present facts and circumstances that petitioner is in custody since 22.08.2021, charge sheet has already been filed and he assured to this Court through his counsel that he shall not involve in such type of activities in future, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-V, Munger in connection with Sessions Trial No. 17 of 2022, arising out of Naya Ram Nagar (Safia Sarai) P.S. Case No. 147 of 2021, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

The petitioner is directed to file an affidavit before the Trial Court that he shall not involve in such type of activities in

future. He is also directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of his bail bond.

Accordingly, the bail application stands disposed of.

(Dr. Anshuman, J.)

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