

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17055 of 2022

Arising Out of PS. Case No.-417 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Mewalal Sah Son Of Late Ram Avtar Sah R/O Village- Garabhuwa- Lala
Tola, P.S.- Sirisiya, (O.P.), District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-07-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Bettiah Town (Kaligbagh O.P.) P.S. Case No.417 of 2021
instituted under Section 379, 411 of the Indian Penal Code.

The FIR was lodged against unknown. The informant
is narrated the story that he had parked his motorcycle in front
of the shop and at 07:30 PM when he went to see his motorcycle
it had just disappeared. He tried to search the motorcycle around
the place he had parked but upon not finding the same, the
present FIR was lodged against unknown.

Subsequently, during the course of investigation, the
motorcycle was recovered from the shop of Manraj Sah, the son
of the present petitioner and accordingly along with the said



accused, the name of the petitioner was also came in the FIR. Accordingly, he came into judicial custody and is in jail since 06.10.2021 (as stated in para-14 of the bail application).

Learned counsel for the petitioner submits that it is the alleged act of his son namely Manraj Sah which has lead him to come under the judicial net every now and then as would reflect from the criminal antecedent (that he has stated in para-3 of the bail application). He further submits that it was recovered from the shop of his son, still his name has been included in the list of accused. He lastly submits that he is ready to abide by the terms and conditions if enlarged on bail.

The main allegation is against the petitioner's son he is in jail since 06.10.2021 and charge-sheet stands submitted, let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Bettiah Town (Kaligbagh O.P.) P.S. Case No.417 of 2021 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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