

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22995 of 2022

Arising Out of PS. Case No.-171 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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RUDAL YADAV SON OF CHATRI YADAV RESIDENT OF VILLAGE
AAHOK GHAT P .S. SHEBPUR KAMAL D IST BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner as well as learned

APP for the State through video conferencing.

Petitioner seeks regular bail in a case registered for the

offences punishable under Sections 120B, 413, 414, 465 and 477 of

the Indian Penal Code.

As per allegation, the police party raided the premises

of petitioner and on seeing the police party the petitioner

attempted to flee but he was apprehended and from his

verandaha four number plates as well as one motorcycle were

recovered and the petitioner could not produce any documents

to justify his legal possession over the said motorcycle, hence,



the motorcycle was presumed to be stolen and as per allegation of prosecution the recovered number plates were also forged. Further allegation is that in following with the information provided by this petitioner, the police raided the house of co-accused Sumit Kumar from where an other motorcycle was also recovered which is also alleged to be stolen vehicle.

The main submissions advanced by learned counsel for the petitioner are that co-accused Sumit Kumar from whose possession a motorcycle was recovered which was alleged to be stolen, has been granted bail vide order passed in Cr. Misc. No. 64975 of 2021 and petitioner has been languishing in jail since 20.07.2021 and his case stands on similar footing with co-accused Sumit Kumar. Further submissions is that the charge sheet has been submitted against the petitioner but the trial has not started till now.

Learned APP, Sri Pawan Kumar Chourasia, for the State has opposed the prayer for bail and submitted that from the possession of petitioner not only stolen motorcycle but also four forged number plates were recovered.

In view of the above submissions and considering the petitioner's case being similar to the co-accused Sumit Kumar who has been granted bail by a co-ordinate bench by this Court



vide order passed in the above mentioned criminal miscellaneous case and also considering the fact that the investigation has been completed in respect of petitioner and his case is at initial stage of trial accordingly, in my view, petitioner deserves to lenient approach of this Court. Let the 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 the Chief Judicial Magistrate, Begusarai in Sahebpur Kamal P.S Case No. 171 of 2021 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent other than Mansi P.S Case No. 174 of 2021 and Sahebpur Kamal P.S Case No. 272 of 2015 of the petitioner is found



then the court below shall take serious action against him for
cancellation of his bail bond.

(Shailendra Singh, J)

Shahid/pooja/-

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