

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25809 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- DARIYAPUR District- Saran

PAPPU RAI Son of Sukul Rai Resident of Village - Bajahiya P.s.- Dariyapur,
Distt.- Saran at Chapra ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Kumar Yadav, Adv.
For the Opposite Party : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and the State.

The case is registered under Sections 420 and 414 of the Indian Penal Code in connection with Dariyapur P.S. Case No. 68 of 2022.

As per the allegation in the first information report the police during patrolling, got information that accused of Dariyapur P.S. Case No. 60 of 2022 has reached his house on the stolen motorcycle. Accordingly, his house petitioner was raided. Although the petitioner successfully escaped, the Hero Honda Splendor motorcycle without registration number and omitted chassis and engine number was parked there. The villagers informed that the stolen motorcycle was used by the petitioner. Accordingly, the motorcycle was brought to the Police Station where the brother of the petitioner Amitabh Kumar Rai came and disclosed that the motorcycle belong to



him and produced papers of the motorcycle but later disclosed that it was purchased by his brother. So he was also made accused.

Learned counsel for the petitioner submits that he had purchased the motorcycle under bonafide belief that it is genuine one and for the said act, he is already in custody since 21.02.2022 (as mentioned in paragraph 10 of the bail application).

Considering the fact that the petitioner is in custody since 21.02.2022 and the charge sheet has been submitted, this Court is inclined to grant the privilege of bail to the petitioner. The petitioner is directed to be released on bail in connection with the above case on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, XIII, Saran at Chapra, subject to the following conditions :

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

(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 his cancellation of



bail by the Trial Court itself.

(iii) he shall appear before the concerned Police Station every fortnight for next six months to mark his presence.

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

(Rajiv Roy, J)

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