

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26749 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- RAJAON District- Banka

=====

RITESH KUMAR Son of Raghunandan Das Resident of Village -
Makrondha, Police Station - Nawada (O.P.), District - Banka.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under section 414 of the
Indian Penal Code, in connection with Rajoun (Nawada O.P.)
P.S. Case No. 73 of 2022.

The allegation in the FIR is that the police
intercepted a motorcycle and on demand of papers, the same
was produced. When the police made call on the number present
in the owner book, the person informed that the motorcycle
belongs to him which was stolen. Accordingly, the FIR was
lodged and the petitioner was taken into custody.

Learned counsel for the petitioner submits that



under bona fide belief, he purchased the motorcycle but it little realizing that the same is stolen one and he became the victim of circumstances and has already suffered by being in custody since 20.2.2022 (as stated in para-13 of the bail application).

Considering the fact that the petitioner has no criminal antecedent, is in custody since 20.2.2022 and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However, if it is found that he do have criminal antecedent, the bail bonds shall stands cancelled.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun (Nawada O.P.) P.S. Case No. 73 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members 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 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;

(v) 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

