

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36742 of 2021

Arising Out of PS. Case No.-337 Year-2020 Thana- MOTIPUR District- Muzaffarpur

AJAY KUMAR S/O PRAMOD BHAGAT @ PRAMOD KUMAR R/o
village- Kodarkatta, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Motipur P.S. Case No. 337 of 2020 registered for the offence
under Sections 401, 413, 414 and 34 of the Indian Penal
Code.

The case relates to recovery of one looted Hero
Splendor motorcycle without registration number.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that according to
the F.I.R., one looted Hero Splendor motorcycle without
registration number is said to have been recovered from the



petitioner but, in fact, nothing has been recovered from the conscious possession of the petitioner. The police after investigation has submitted chargesheet in this case under sections 401, 413, 414 and 34 of the Indian Penal Code. Moreover, the co-accused, namely, Md. Sirajul @ Sonu has already been granted bail by this Court vide order dated 10.12.2021 passed in Cr. Misc. No. 44808 of 2021. The petitioner is rotting in judicial custody since 24.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, 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 learned A.C.J.M.-II, West Muzaffarpur in connection with Motipur P.S. Case No. 337 of 2020 with 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 and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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