

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28710 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- NARPATGANJ District- Araria

Niraj Das @ Niraj Kumar Das Son Of Pramod Das Resident Of Village-
Manikpur, Ward No.-15, P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Narpatganj P.S.Case No. 294 of 2021 for
the offences punishable under Sections 379 of the Indian
Penal Code.

It is alleged that while the informant was in a
market, he found his motorcycle missing. In course of
search one Kundan Kumar has informed that his motorcycle
was also stolen from his door and on the basis of aforesaid
information, the FIR has been instituted with regard to theft



of two motorcycles.

Learned counsel for the petitioner submits that during the course of investigation, the petitioner was apprehended along with co-accused Sushil Kumar Amit and from their possession both the stolen motorcycles have been recovered. It is submitted that on being arrested in connection with Fulka P.S. Case No. 157 of 2021, the petitioner has been remanded in the present case and he is in custody since 09.12.2021. He next submits that in fact the motorcycle has not been recovered from his conscious possession rather on account of suspicion his name has been implicated with co-accused persons. He next submits that though, the petitioner is named in four other criminal cases. however, he is on bail in all four case and moreover, investigation of the crime is already completed and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the period of incarceration as well as the fact that the investigation of the



crime is already completed and the charge sheet has submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S.Case No. 294 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J)

N.K/-

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

