

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39752 of 2021**

Arising Out of PS. Case No.-700 Year-2020 Thana- SIKARPUR District- West Champaran

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AJEET KUMAR Son of Late Suresh Ram Resident of Village - Langra, P.S.-
Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 25-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Learned counsel appearing on behalf of petitioner
submits that he has deleted paragraph Nos. 7, 8 and 12, which
was typographical mistake by filing of supplementary affidavit
on behalf of petitioner.

The petitioner, who is in custody since 24.12.2020,
seeks regular bail in connection with Shikarpur P.S. Case No.
700 of 2020 for the offence punishable under Section 414 of
Indian Penal Code.

The prosecution case, in brief, is that in course of
search of vehicle, the petitioner was found in possession of one



motorcycle without number plate. On demand of paper regarding ownership of the vehicle, the petitioner could not produce any valid paper.

Learned counsel appearing on behalf of the petitioner submits that petitioner was intercepted while vehicle checking was going on. He further submits that seizure-list was not handed over to the petitioner. He further submits that petitioner is neither the owner of the motorcycle bearing Chasis No. MB-LJAR036H9H01300 and Engine No.JH05EGH9H08197 nor he is connected with the said motorcycle.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, prima facie it appears that the seizure was not prepared in presence of the petitioner at it does not contain the signature of the petitioner and also specific statement of the petitioner that he is not the owner of motorcycle bearing Chasis No. MB-LJAR036H9H01300 and Engine No.JH05EGH9H08197, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 700 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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