

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31462 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- ARIYARI District- Sheikhpura

Bhola Kewat @ Bhola Kumar S/o Kishori Kewat R/o Village- Dhadasi, P.S.-
Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prasad Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Ariyari P.S. Case No. 86 of 2022 registered for the offences
under Sections 414, 34 of the Indian Penal Code.

As per allegation on the basis of secret information
the police raided the house of this petitioner and recovered two
motorcycles and the petitioner was arrested at the spot and the
said motorcycles are alleged to be stolen motorcycles and as per
the FIR the petitioner's nephew Rohit Kumar had bought the
said motorcycles from one namely Sonu Kumar @ Vinayak who



was indulged in selling of the stolen motorcycle.

The main submissions advanced by the learned counsel Mr. Ram Prasad Singh for the petitioner are that the alleged motorcycles were recovered from the outside of the house of this petitioner and the same were not found in the conscious possession of this petitioner as the petitioner's house is in joint possession of several persons and against the petitioner there are criminal antecedents of two cases in which he has been granted anticipatory bail and he has been languishing in jail since 07.04.2022.

Learned APP Mr. Amitesh Kumar appearing for the State has opposed the bail prayer.

In view of the above submissions and considering the facts and circumstances of this case and mainly the petitioner's plea that the alleged motorcycles were not recovered from his conscious possession in the opinion of this Court a lenient approach can be taken in respect of petitioner's prayer, let the 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 concerned Court in Connection with Ariyari P.S. Case No. 86 of 2022, on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J.)

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