

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40170 of 2021**

Arising Out of PS. Case No.-68 Year-2020 Thana- SIMRA District- West Champaran

GAFFAR DEWAN, Son of Muslim Dewan, Resident of Village - Katkuiya,
Police Station - Semra, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay, Advocate
Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-02-2022 Learned counsel for the petitioner undertakes to remove the defects as pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present is seeking regular bail in connection with Semara P.S. Case No. 68 of 2020 registered for the offences punishable under Sections 379 and 414 of the Indian Penal Code. The petitioner is in custody since 15.12.2020. He has got two criminal antecedents, however, in those cases, the petitioner is said to be on bail.

Learned counsel for the petitioner submits that as per the prosecution story, the informant on secret information raided



the house of the petitioner and recovered three motorcycles without having any registration number and no one found in the house. The persons assembled there disclosed that the petitioner used to keep theft motorcycles.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the house in question was empty house and the entire family members were living at separate place. It is further submitted that the petitioner has no concern with the recovered motorcycles. The petitioner is in custody since 15.12.2020 and he is accused in two other cases in which he is on bail.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that the petitioner is in custody in connection with this case since 15.12.2020, he has got two criminal antecedents, however, in those cases, the petitioner is said to be on bail, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vth, Bagaha, West Champaran in connection with Semra P.S. Case



No. 68 of 2020, subject to the conditions as laid down under
Section 437(3) of the Cr.P.C.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

