

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31160 of 2022**

Arising Out of PS. Case No.-86 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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PRATAP KUMAR GHOSH S/o- Pashupati Ghosh R/- Lakhipur, P.S. -
Rajmahal, Distt.- Sahebganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 25-08-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seek bail in a case registered for the offence

punishable under Sections 379,411 of the Indian Penal Code.

Allegation against the petitioner is that he was caught

on the spot with stolen motorcycle of the informant.

Learned counsel appearing for the petitioner submits

that the petitioner has falsely been implicated in the present case

only on the basis of suspicion. Further submits that it appears

from the FIR that the petitioner was apprehended with the



motorcycle in question. Further submits that in fact the petitioner has not committed any wrong and the police has falsely implicated the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 30.01.2022.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kotwali (Tilakmanjhi) P.S. Case No.86 of 2022, 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 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.

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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