

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30582 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- DAUDNAGAR District- Aurangabad

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Dular Chand Chaudhary @ Dular Chand Chaudhry S/o Doma Chaudhary
Resident of Village- Baluganj, Ward No.03, Daud Nagar, P.S.- Daud Nagar,
District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 379 and 411 of the Indian
Penal Code.

According to prosecution case is that informant is
supervisor in Hindustan Company. On 02.03.2022 a vehicle
bearing registration no. BR24GB/6652 caught with stolen goods
of Hindustan Company. The information regarding the same
was given to Daudnagar police by an employee of the company.
Thereafter police patrolling party seized the vehicle at Kali



Sthan Mandir and brought to police station. Vehicle was loaded with total 1000 kilograms scrap materials which has been stolen by the petitioner and driver of the vehicle.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that petitioner has no knowledge that the vehicle was loaded with stolen articles and he was arrested with the co-accused Naresh Sharma who is driver and owner of the said vehicle in question. He further submits that Naresh Sharma has already been granted bail by the court below itself. Petitioner is in custody since 02.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Daud Nagar P.S. Case No. 100 of 2022 / G.R. No. 196/2022, subject to 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 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. 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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