

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31202 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- KUMAR KHAND District- Madhepura

Prince Kumar S/o Prabhash Kumar Yadav Resident of Village Gardhia, P.S.-
Kumarkhand, Dist. Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 414 of the Indian Penal
Code.

According to prosecution case, as per the informant, is
that on 23.01.2022 he alongwith police party was on patrolling
duty and was conducting vehicle checking. In that course a
person riding on a red-black coloured Apache motorcycle and
the same was stopped by them. The informant then demanded
the document of the said motorcycle but said person did not
produce any document nor he gave any satisfactory answer.



Upon deep interrogation he disclosed his name as Prince Kumar and he also disclosed that the motorcycle is stolen one.

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 nothing has been recovered from the conscious possession of the petitioner and petitioner has no concern at all with the alleged recovery. He further submits that the alleged recovery has been made from the road near the over bridge. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 24.01.2022.

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 Kumarkhand P.S. Case No. 40 of 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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