

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32412 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- BARUN District- Aurangabad

=====

Pancham Kumar Son of Late Naresh Prajapati Resident of Village - Katharua,
P.S.- Aurangabad (Town), Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 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 seeks bail in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

The F.I.R. of the occurrence of theft is against unknown.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner was arrested in Aurangabad (Muffasil) P.S. Case No. 99 of 2022 along with



motorcycle and illicit liquor. He further submits that in fact the petitione~~r~~r is not named in the F.I.R. and the name of the petitioner has been transpired after the recovery of the motorcycle from the possession of the petitioner and co-accused namely Nagesh Kumar. He further submits that in fact the petitioner has no concern with regard to the motorcycle in question and till date no test identification parade was conducted by the prosecution and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 11.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barun P.S. Case No. 179 of 2021, 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 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 witness, 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

