

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.43957 of 2021**

Arising Out of PS. Case No.-84 Year-2021 Thana- CHANDAN District- Banka

1. ROUSHAN KUMAR Son of Ranjan Kumar @ Ranjan Kumar Sah Resident of Village- Asarganj, Police Station- Asarganj, District- Munger.
2. Sumit Kumar Son of Sanjay Sah Resident of Village- Asarganj, Police Station- Asarganj, District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parijat Saurav, Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-02-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Chandan P.S. Case No.84 of 2021 registered for the offences punishable under Sections 411, 413 and 414 of the Indian Penal Code. They are in custody since 11.06.2021. The petitioners have got no criminal antecedent.

As per the First Information Report one stolen motorcycle was recovered from the possession of the petitioners



on which they were riding.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that the petitioners were not aware that they were riding a stolen motorcycle. It is submitted that the petitioners are in custody in connection with this case since 11.06.2021 having no criminal antecedents.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the submissions that these petitioners were not aware that they were riding a stolen motorcycle, they had borrowed it with some other person, they have no criminal antecedents and with regard to the present case they have remained in custody for over eight months, investigation against them is complete and their appearance may be secured in course of trial, this Court directs that the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Chandan P.S. Case No.84/2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed thier criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajeev Ranjan Prasad, J)

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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'.

