

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46088 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- KATRA District- Muzaffarpur

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Jitendra Kumar, aged about 24 years (Male), Son of Binod Chaupal Resident of Village- Jarang Chandrahas Nagar, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner seeks bail in connection with Katra P.S. Case No. 88 of 2021 registered for the offences punishable under Sections 413, 414, 420/34 of the Indian Penal Code.

The prosecution case, in short, is that the police, in course of patrolling and vehicle checking, intercepted a motorcycle and demanded the papers. On verification, it was found that the details of the vehicle on paper did not match with the engine number and chassis number of the said vehicle. On interrogation, the rider disclosed his name as Jitendra Kumar (the petitioner). He also disclosed that the said motorcycle is a stolen one which he has purchased the same from Prince Kumar. Subsequently, the vehicle was seized and the seizure list was



prepared.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. Learned counsel for the petitioner further submits that from the F.I.R., it appears that one stolen motorcycle has been recovered from the possession of the petitioner. He further submits that the said stolen motorcycle was purchased from the co-accused namely Prince Kumar and he used the original paper of the motorcycle bearing no. BR06AY-9345. He further submits that the police, after investigation, submitted the charge-sheet against the petitioner and the petitioner is languishing in judicial custody since 09.04.2021.

Learned Additional Public Prosecutor has vehemently opposed the prayer for bail but fairly submits that petitioner carries no criminal antecedent.

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 Judicial Magistrate, 1st Class, Muzaffarpur (East) in connection with Katra P.S. Case No. 88 of 2021, 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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