

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36424 of 2022**

Arising Out of PS. Case No.-245 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Sailesh Kumar @ Shailesh Yadav Son Of Ramayodhaya Ray Resident Of  
Village- Methwalia, P.S.- Rivilganj, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate  
For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      20-09-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The case is registered under sections 413, 414 and  
401 of the Indian Penal Code, in connection with Bhagwan  
Bazar P.S. Case No. 245 of 2022.

As per the prosecution story, the police upon  
information, apprehended the accused persons along with two  
stolen motorcycles and the petitioner was one of them. As they  
failed to provide any document, the FIR instituted, seizure list  
prepared and the amongst other, the petitioner herein was taken  
into custody.

Learned counsel for the petitioner submits that he



is a student, was a mere passer-by and as the police apprehended the accused persons, he in a panic tried to leave the place but was arrested and is in jail since 14.5.2022.

Considering the aforesaid facts that the petitioner is in custody since 14.5.2022, charge-sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him the privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Chapra, in connection with Bhagwan Bazar P.S. Case No. 245 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police



station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/Ajay Singh

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