

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39300 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- DEHRI TOWN District- Rohtas

Sudeep Soni Son of Late Lalan Seth Resident of Mohalla - East Mohan
Bigha, P.S.- Dehri (T), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in the virtual court
proceeding.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 414 of the
Indian Penal Code.

According to the prosecution case, some persons
were committing theft of materials for which the worker were
searching. On 11.02.2022, informant saw some articles in the
Kabari shop of the petitioner and some worker of the company
who were selling the materials and therefore, he informed to the
police.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case. He further submits that the petitioner is registered Kabari Shop owner and did not deal in the sale and purchase of theft articles. He further submits that the recovered article from to Kabari shop has neither the name of the company written on the alleged theft articles or the number of articles which are missing from the records of the company has been mentioned in the present F.I.R. and on the basis of suspicion the petitioner has falsely been implicated in the present case.

The learned Additional Public Prosecutor has vehemently 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 aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Dehri (T) P.S. Case No. 67 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure



and with other 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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