

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40968 of 2022**

Arising Out of PS. Case No.-10 Year-2022 Thana- LAURIA District- West Champaran

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PRADEEP KUMAR SON OF YOGENDRA RAM R/O VILLAGE-  
BELAWA PAKADIA, P.S.- JAGDISHPUR, DISTRICT- WEST  
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

3      23-11-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with  
Lauriya P.S. Case No. 10 of 2022 registered for the offence  
punishable under Section 392 of the Indian Penal Code.

As per prosecution case, the informant's tractor has  
been taken away by three or four miscreants. FIR has been  
lodged against three or four unknown person.

Learned counsel for the petitioner submits that  
petitioner is not named in the FIR. He further submits that  
petitioner was apprehended in Paharpur P.S. Case No. 18 of



2022 and thereafter after recording the confession, the petitioner has been remanded one after another in five cases and in all cases petitioner was not named in the FIR. He further submits that on similar and identical allegation co-accused Anil Kumar has already been granted bail by the co-ordinate Bench of this court vide Cr. Misc. No. 38156 of 2022. Petitioner bears criminal antecedent of five cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. No incriminating article has been recovered from possession of the petitioner. No TIP was conducted.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate, 1<sup>st</sup>,  
Narkatiaganj, West Champaran in connection with Lauriya P.S.  
Case No. 10 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(vi) However, if petitioner violates any of the



conditions enumerated above, the trial court shall be at liberty to  
cancel the bail bond of the petitioner.

**(Alok Kumar Pandey, J)**

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