

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51267 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- RAHIKA District- Madhubani

Umesh Kumar Mahto @ Umesh Mahto S/O Tapeswar Mahto R/O Village-
Rampatti Ward No.7, P.S-Rajnagar, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

As per written report of the informant-Rakesh Kamal, prosecution case, in brief, is that on 06.01.2021 at night, his motorcycle was stolen by unknown which had parked at his door, but he did not find its trace.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. Name of the



petitioner has transpired during investigation. In fact the petitioner was apprehended in connection with Rajnagar P.S.Case No.66 of 2021 under Section 414 IPC and the petitioner was remanded in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Rahika Police Station Case No.11 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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