

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52091 of 2021**

Arising Out of PS. Case No.-6 Year-2020 Thana- LADANIA District- Madhubani

Md. Chand Son of Md. Ali @ Ali Resident of Village- Bhakua, P.S.- Khajauli,
District- Madhubani.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

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

2 04-04-2022

Heard learned counsel for the parties.

The matter relates to Ladaniyan P.S. Case No. 06
of 2020 (C.R.I. No. 91 of 2020) under sections 379/34 of
the Indian Penal Code.

As per allegation in the FIR, the informant was
returning home after dropping his relative. On way, he
stopped his motorcycle, put his mobile into the dicky of the
motorcycle and went to answer the nature's call.
Meanwhile, five unknown persons on three motorcycles
with Nepal numbers came there and drove away with his
motorcycle. He later went to the police station to lodge the
FIR.

Learned counsel for the petitioner submits that



the motorcycle was recovered from the house of accused Santosh Paswan. He is innocent and is in jail for the last two years i.e. 02.03.2020.

The learned APP opposes the bail application.

In view of the fact that the motorcycle has been recovered from the possession of accused Santosh Paswan and the petitioner is in judicial custody since 2.3.2020, let the petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-4th, Madhubani, in connection with Ladaniyan P.S. Case No. 06 of 2020 (C.R.I. No. 91 of 2020) subject to the following conditions:

(i) one of the bailors should be family members of the petitioner who shall submit an official document to prove his bona fide;

(ii) he shall visit the local police station every 15 days for the next six months;

(iii) he shall cooperate in the trial and failure to do so for two consecutive dates without any cogent reason; the Trial Court will take steps for cancellation of his bail bonds;



(iii) since he is accused in number of cases, if he commits any further criminal offence the State shall take steps for cancellation of his bail bond.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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