

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54302 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Rohit Raj @ Sonu Son Of Siyawar Saran Rao Resident Of Village- Rajguru
Chowk, P.S- Bettiah Town (KALIBAGH O.P) , Dist- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Adv.
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 29-08-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Bettiah Town (Kalibagh) P.S. Case No.
99 of 2021 for the offences punishable under Sections 379
of the Indian Penal Code.

As per the prosecution case, it is alleged that in the
evening of 10.02.2021, when the informant went to see his
under constructed house from his motorcycle and he parked
his motorcycle and started watching under constructed



house , he found his motorcycle was missing. During the course of investigation the stolen motorcycle was recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody since 13.02.2021 and moreover the alleged offence is triable by the Magistrate and the maximum punishment provided under section 379 of the I.P.C is of three years and as such he has already spent more than half of the punishment. It is next submitted that the petitioner has one criminal antecedent on which he has already on bail.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the nature of allegation and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in connection with Bettiah Town (Kalibagh) P.S.Case No. 99 of 2021 subject to the condition that one of the bailors



will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J)

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