

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47771 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- BABUBARHI District- Madhubani

Prahlad Kumar Jha S/o Late Amar Kant Jha, R/o village- Mangrauni Purwari
Tola, P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Babubarhi P.S. Case No. 294 of 2021, lodged under Section 379
of the Indian Penal Code.

As per prosecution case, the allegation made by the
informant against unknown accused persons is that when he was
going by his motorcycle, unknown person demanded his
motorcycle from him for emergency work then he provided his
motorcycle. But the said accused after taking his motorcycle
became traceless.

Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He further submits that the present F.I.R. has been filed against unknown persons and nothing incriminating has been recovered from the possession of the petitioner. He also submits that in the present case he has been remanded only due to the reason that there is criminal antecedent against him and the police has figured his name in the present case. He further submits that there are total 5 criminal cases pending against the petitioner and in 1 he is on bail whereas in 4 cases he is persuading for bail. He also submits that petitioner is in custody since 28.01.2022.

Learned A.P.P. for the State opposes the prayer for bail and submits that there are total 6 criminal cases pending against the petitioner including the present one.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Madhubani in connection with Babubarhi P.S. Case No. 294 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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