

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62535 of 2021

Arising Out of PS. Case No.-502 Year-2021 Thana- JAHANABAD District- Jehanabad

BHOLU KUMAR @ GOLU Son of Late Dman Chaudhary Resident of Untta
Naka No.01, Police Station- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv

For the Opposite Party/s : Mr.Syed Mojibur Rahman,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-04-2022 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 in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offences punishable under Sections 414 and 34 of the Indian Penal Code.

The prosecution case as alleged in the fardbeyan of informant that on 16.08.2021 at about 15.00 hours during the course of Gasti, he alongwith other police force was conducted vehicle checking at Hospital More and stopped a motorcycle without number plate and on the said motorcycle three persons were riding, the informant apprehended three persons namely



Bholu Kumar @ Golu, Shankar Kuar @ Raja and Rupesh Kumar, on enquiry they did not provide the papers, hence the said motorcycle was seized.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that the allegation against the petitioner is that one motorcycle was recovered from possession of the petitioner and other co-accused persons and on enquiry they did not provide the paper so the petitioner has been implicated in the present case. Learned counsel for the petitioner submits that merely on the basis of the suspicion, the petitioner has been arrested and except the motorcycle in question nothing has been recovered from the conscious possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases 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 Jehanabad Police Station Case No.502 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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