

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63205 of 2021**

Arising Out of PS. Case No.-364 Year-2021 Thana- SHERGHATI District- Gaya

LAL BABU, Son of Jilout Mistry @ Janardhan Mistry Resident of Budhani
Bazar, Dobhi, P.S.- Dobhi, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

**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 the learned A.P.P. for the State.

The petitioner seek bail in connection with Sherghati (Dobhi) P.S. Case No. 364 of 2021 registered for the offence under Sections 414, 467, 468, 471 and 34 of the Indian Penal Code.

As per allegation in the FIR, the petitioner kept a stolen motor-cycle in his house.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case only on the basis of suspicion. He further



submits that it appears from the FIR that one motorcycle was recovered from the courtyard of the petitioner. He further submits that no case is instituted by the owner of the aforesaid motorcycle and police after investigation submitted charge-sheet against the petitioner and other accused persons. The petitioner is rotting in judicial custody since 26.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let above named, petitioner 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 ACJM, Sherghati in connection with Sherghati P.S. Case No. 364 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 absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

(2) If the petitioner tamper 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 bond 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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