

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63948 of 2021

Arising Out of PS. Case No.-93 Year-2021 Thana- BANKA District- Banka

Vikash Tanti Son of Vijay Tanti Resident of Village- Baghmari, P.S.-
Katoriya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

According to prosecution case, the informant Amod Kumar Yadav gave his motorcycle to one Dilip Yadav for the purpose of appearing at the intermediate examination. It is further alleged that on the same day at mid-night, the motorcycle was stolen by unknown persons from the Khalihan of Dilip Yadav. It is further alleged that the said motorcycle had



owner name Pramod Kumar, who is brother of the informant.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of self confessional statement of the petitioner. He further submits that it appears from the seizure list that one motorcycle has been recovered from the conscious possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.04.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Banka P.S. Case No. 93 of 2021, subject to 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 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.

3. 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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