

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54964 of 2022**

Arising Out of PS. Case No.-159 Year-2021 Thana- BARBIGHA District- Sheikhpura

Ashok Kewat S/o Yogendra Kewat R/o village- Gangta Tola, Kalbheri, P.S.-
Sadar (Amhara O.P.), District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the Stamp Reporter within two weeks.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Barbiga (Mission O.P.) P.S. Case No.159 of 2021 registered for the offences punishable under Section 379 of the Indian Penal Code. He is in custody since 06.05.2022. He has got one criminal antecedent in which he is said to be on bail.

Learned counsel for the petitioner submits that as per the prosecution story, on 02.06.2021 the informant along with his wife had gone for marketing at 9.30 am by his motorcycle bearing Reg.No.BR21H-5685 and had parked his motorcycle in



front of Prakash Electronic. It is alleged that when he came back after half an hour he found that his vehicle was not there. The informant raised apprehension that his vehicle was stolen by unknown thief.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner is not named in the FIR and no incriminating article has been recovered from his possession. It is submitted that the petitioner is in custody in connection with this case since 06.05.2022.

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

Having regard to the facts and circumstances of the case wherein this petitioner is said to have been remanded in this case from Sheikhpura P.S. Case No.81 of 2022 on 06.05.2022, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Barbigha (Mission O.P.) P.S. Case No.159/2021, subject to the condition



as laid down under Section 437 (3) Cr.P.C.

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.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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