

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66797 of 2021**

Arising Out of PS. Case No.-515 Year-2021 Thana- BIHAR District- Nalanda

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DIVYANSHU RANJAN Son of Late Anil Prasad Resident of Village-
Hariompur, P.S.- Ben, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 21-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Bihar P.S. Case No. 515 of 2021 for the offences under
Sections 379/414 of the Indian Penal Code.

The allegation in the FIR is that the police in the
course of vehicle checking intercepted a motorcycle but they
tried to escape from the place, were apprehended and one of
them was the petitioner herein. Subsequently, it was found that
the motorcycle they were riding was stolen from Danapur,
Patna and Danapur P.S. Case No. 280 of 2021 was registered on
05.04.2021 against unknown in this connection.



Learned counsel for the petitioner submits that he being a pillion rider had no knowledge of the fact that the motorcycle driven by Mantu Kumar is stolen one. He further admits that although he has criminal antecedents but suffered a lot by being in jail since 08.08.2021.

Taking into account the fact that charge sheet stands submitted and he is in jail since 08.08.2021 (as stated in paragraph-14 of the bail application), this Court is inclined to grant him the privilege of bail with certain conditions in view of the fact that the petitioner has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 551 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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