

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57680 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- PANDARAK District- Patna

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Damodar Prasad Son of Nageshwar Prasad Resident of Village- Dargahi Tola,
P.S.- Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-12-2022 This matter is heard through video conferencing.

Heard Mr. Bhim Sen Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Braj Kishore Pd,
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pandarak P.S. Case No. 109 of 2022 for the offence punishable
under Sections 414 of the Indian Penal Code.

The prosecution case, in brief, is that an abandoned
motorcycle was found in front of the house of the petitioner and
the petitioner was arrested on the spot.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner was inside his house and he has no
idea about the said motorcycle which is parked in front of the
petitioner's house. He further submitted that the petitioner is in



custody since 29.07.2022 and no T.I.P has been done till date and it appears that no one has claimed the motorcycle parked near his house.

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

Considering the nature of allegation made in the F.I.R and prima facie it appears that the motorcycle was parked in front of the petitioner's house, though the petitioner has not taken any legal steps to inform the police. However taking note of the period of custody the petitioner has undergone and there is no likelihood of trial being concluded in the near future, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.1,00,000/- (Rupees One Lakh) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-1st, Barh, Patna in connection with Pandarak P.S. Case No. 109 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as to what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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