

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69996 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- KALUAHI District- Madhubani

Deepak Sahani Son Of Late Tirpit Sahni Resident Of Village - Haripur
Majrahi Khirkhiriya Tol, P.S.- Kaluahi, Distt.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kaluahi P.S. Case No. 59 of 2021 registered for the offences punishable under Sections 379, 414, 467, 468, 471/34 of the Indian Penal Code. He is in custody in the present case since 15.05.2021. The petitioner has got no criminal antecedents.

Learned counsel for the petitioner submits that the petitioner is said to have been arrested from the house of his brother from where four motorcycles have been recovered. It is alleged that those motorcycles are theft one.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that petitioner has not committed any theft of the motorcycle rather he is the bonafide purchaser of the motorcycle having no knowledge about theft. The petitioner has remained in custody since 15.05.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner has remained in custody for over one year, investigation against him is complete, he has otherwise no criminal antecedent and his presence may also be secured in course of trial, therefore, this Court directs that the petitioner above named be released 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 Judicial Magistrate 1st, Madhubani in connection with Kaluahi P.S. Case No. 59 of 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 steps 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.

(Rajeev Ranjan Prasad, J)

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Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

