

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70862 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- KANHHAULI District- Sitamarhi

=====

RAJESH PASWAN @ BHOLA PASWAN Son of Faguni Paswan Resident of
Village- Mushaharniya, Ward No. -1, P.S.- Sonbarsha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-05-2022

Heard learned counsel for the parties.

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 Kanhauli P.S. Case No. 74 for the offences registered under
Section 379 of the Indian Penal Code.

As per the allegation, the informant found that his
motorcycle disappeared from outside his house and after search,
as he failed to locate it, this FIR was lodged against unknown.
Subsequently during investigation, some accused persons were
arrested and on the confessional statement of accused, Jai
Kishore Ram, (this petitioner) was charged with the
disappearance of the said motorcycle.

Learned counsel for the petitioner submits that for the



said alleged stealing of the motorcycle, two FIRs one after another has already been lodged against him and he had already suffered by remaining in jail since 28.06.2021 (as stated in paragraph-11 of the bail application).

Considering the aforesaid facts that the charge sheet stands submitted and the petitioner is in jail since 28.06.2021, this Court is inclined to grant the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of I/C Chief Judicial Magistrate, Sitamarhi in connection with Kanhauli P.S. Case No. 74 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)

Jagdish/-

U		T	
---	--	---	--

