

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.59701 of 2022**

Arising Out of PS. Case No.-387 Year-2022 Thana- CHAPRA TOWN District- Saran

Chandan Kumar Basfor Son of Sonelal Basfor Resident of Village- Daldali
Bazar Indira Nagar, Police Station- Chapra Town, District- Saran Chapra
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Opposite Party : Mr. Ajay Kumar No. 2, APP

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

2 23-12-2022 Heard learned counsel for the petitioner and Mr. Ajay
Kumar No. 2, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Chapra Town P.S. Case No. 387 of 2022 registered for the offences punishable under Section 379 of the Indian Penal Code. He is in custody since 13.07.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 23.06.2022, one Amit Mishra alleged that he parked his motorcycle on the road at Jyoti Cinema while going for some office work in Rani Pharma. On returning, he got to know that his motorcycle bearing registration no. BR01EX-1618 is missing.

Learned counsel for the petitioner submits that the pe-



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent and he is in custody in connection with this case since 13.07.2022.

Learned counsel submits that the petitioner is ready to abide by the terms and conditions imposed upon him by the Hon'ble Court for his release on regular bail. It is further submitted that the petitioner denies any recovery of the motorcycle from his conscious possession. It is also submitted that unknown persons were made accused in FIR.

Mr. Ajay Kumar 2, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has remained in custody since 13.07.2022, he has otherwise no criminal antecedent and there being no submission on behalf of the State that his release at this stage is likely to result in tampering with the evidence or interfering with the course of trial or the presence of the petitioner cannot be secured in course of trial, 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 Chief Judicial Magistrate, Chapra, District- Saran in connection with Chapra Town P.S. Case No. 387 of 2022, 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.

(Rajeev Ranjan Prasad, J)

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