

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60318 of 2022**

Arising Out of PS. Case No.-247 Year-2022 Thana- BANKA District- Banka

Girdhari Laiya Son of Bisheshwar Laiya Resident of Village- Eksingha,  
Police Station- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      19-12-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

The prosecution case, in brief, is that on 13.05.2022 informant Rahul Kumar parked his bicycle besides his shop and in the meantime, the bicycle of the informant was stolen by unknown person.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired only on the basis of suspicion and except suspicion,



no other cogent material has come during investigation against the petitioner.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Banka P.S. Case No. 247 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) 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 step 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.

**(Rajesh Kumar Verma, J)**

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