

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71800 of 2021

Arising Out of PS. Case No.-231 Year-2021 Thana- BARH District- Patna

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1. KUNDAN KUMAR S/o Dinesh Yadav Resident of Village- Heru Diara,
P.S.- Kasim Bazar, District- Munger (Bihar)
 2. Karan Kumar Son of Ganesh Prasad Yadav Resident of Village- Heru Diara,
P.S.- Kasim Bazar, District- Munger (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State in virtual court proceedings.

Petitioners seek bail in a case registered for the offences punishable under Sections 379, 414 of the Indian Penal Code.

The F.I.R of the occurrence of theft of motorcycle is against unknown.

Learned counsel for the petitioners submit that the petitioners are not named in the F.I.R. and the name of the



petitioners have been transpired only on the basis of suspicion. He further submits that nothing has been recovered from the conscious possession of the petitioners and the police after investigation submitted chargesheet against the petitioner and the petitioners are in custody since 29.07.2021.

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, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barh P.S. Case No. 231 of 2021 (Patna), with the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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