

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71815 of 2021

Arising Out of PS. Case No.-212 Year-2021 Thana- GHOSI District- Jehanabad

=====

Dipu Kumar S/o Sanjay Prasad Mahto @ Sanjay Prasad @ Shyamdeo Prasad
R/o Village- Barnausa, P.S.- Silao, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr. Veena Rani Prasad

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Section 414/34 of the Indian Penal Code.

According to prosecution case, the informant Jai Ram Prasad, ASI, Ghosi police station has alleged in his written report that on 07.05.2021 he moved for night patrolling alongwith other police personnels. On 08.05.2021 while checking the vehicle one tractor was stopped upon three persons was sitting. On questioned they did not produce the paper of



tractor and lastly accepted that they were taking away after theft. Being night no independent witness was found and hence in presence of two police witnesses the tractor was seized.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that one tractor has been recovered from the conscious possession of the petitioner and other co-accused persons. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.05.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ghoshi P.S. Case No. 789 of 2021, subject to the 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 witnesses, 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)

mdrashid/-

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

