

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4081 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- ARWAL District- Jehanabad

-
1. DOMAN SINGH SON OF RAMAN SINGH R/O VILLAGE- JALPURA,
P.S.- CHANDI, DISTRICT- BHOJPUR
 2. GORAKH MIAN SON OF SOHRAB MIAN R/O VILLAGE- JALPURA,
P.S.- CHANDI, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail, who are in custody since
18.10.2022, in connection with Arwal P.S. Case No. 53/2022,
F.I.R. dated 10.02.2022, registered for the offence punishable
under Section 379 of the I.P.C.

According to prosecution case, the motorcycle of the
informant is alleged to have been stolen by some unknown
person.

Learned counsel for the petitioners submits that the
petitioner no.1 has carried one antecedent and the petitioner
no.2 has clean antecedent and they have falsely been implicated



in the present case. He further submits that the petitioners are not named in the F.I.R. The name of the petitioners have been transpired during investigation. He further submits that nothing incriminating article has been recovered from the conscious possession of the petitioners and in fact the petitioners have no concern at all with the alleged stolen motorcycle in question and the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 18.10.2022.

Learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer of bail of the petitioners on the ground that the petitioner no.1 carried one antecedent other than the present one.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arwal, in connection with Arwal P.S. Case No. 53/2022, subject to 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 bond shall be cancelled by the Court below.

2. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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)

amit/-

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

