

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6476 of 2023**

Arising Out of PS. Case No.-309 Year-2022 Thana- KHODAWANDPUR District- Begusarai

KRISHNA KUMAR @ BABUL Son of Ram Sohan Paswan R/V- Bathoul  
P.s- Khodawandpur (Chhourahi O.P) dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

3      11-07-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
27.10.2022 in connection with Khodawandpur P.S. Case No.  
309/2022, dated 27.10.2022, for the offences punishable under  
Sections 413, 414, 419 and 420 of the IPC.

According to prosecution case, the informant received  
secret information that the petitioner is using stolen motorcycle  
which is Hero Passion Pro bearing registration no. BR-33N-123  
near Kali Mandir and on that basis the informant and other  
raiding party reached there and arrested the petitioner.

Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. He  
further submits that as per allegation in the F.I.R., the petitioner



was apprehended with motorcycle in question. He further submits that there is non-compliance of Section 100 of the Cr.P.C. and in fact no one has claimed that the motorcycle belongs to him or her and the police has falsely been implicated the petitioner in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 27.10.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried two criminal antecedent other than the present one.

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 S.D.J.M., Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No.309/2022, 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)**

amit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

