

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18167 of 2023

Arising Out of PS. Case No.-1274 Year-2022 Thana- FORBESGANJ District- Araria

Ajay Kumar Son Of Shambhu Sharma Resident Of Village- Kolhua, Ward
No. 05, Ps Jogbani, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Forbesganj P.S. Case No. 1274 of 2022 registered for the offences punishable under Sections 379, 411 and 414 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that the four motorcycles under two separate seizure lists have been shown seized from the motorcycle garage of this petitioner. It is pointed out from the two affidavits enclosed as Annexure '2' that the owner of the motorcycle namely Narayan Yadav and Sanjay Kumar Sah have sworn affidavits that they had given the motorcycle in the garage of the petitioner and the implication of



the petitioner in the present case is wrong. Learned counsel has taken this Court to Annexure '2' which are the affidavits of the owners of the vehicle.

Learned counsel for the petitioner undertakes to produce the affidavit of the owners of the other motorcycles also. All the four owners shall produce the copy of the ownership documents of the vehicle.

Learned counsel for the State has though opposed the prayer for anticipatory bail, but considering the facts and circumstances of the case and in the nature of the submissions, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 1274/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

At the time of acceptance of the bail bond, both the deponents namely, Narayan Yadav and Sanjay Kumar Sah shall appear and file their documents showing ownership of the motorcycles as per the affidavits (Annexure '2').

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.

(Rajeev Ranjan Prasad, J)

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