

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25636 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- SIMRA District- Aurangabad

SONU CHANDRAVANSI Son of Baiju chandravanshi R/V- Janakpur
Pokharapar P.S- Nabinagar Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
01.12.2022 in connection with Simra P.S. Case No. 44 of 2022,
F.I.R. dated 18.11.2022 for the offences punishable under
Section 379 of the Indian Penal Code.

3. According to prosecution case, as per written report
of the informant is that on 16.11.2022 at about 09:30 P.M. the
informant parked his motorcycle in his house and in the
morning the informant did not found his motorcycle there. The
motorcycle bearing Registration No.BR-26U 5917 was
registered in the name of his brother Gautam Kumar. The
informant has alleged that his motorcycle has been stolen by
some unidentified thief.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of secret information received from the spy. He further submits that the motorcycle was recovered from the road side and nothing was recovered from the conscious possession or the house of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 01.12.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one.

6. 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 Chief Judicial Magistrate, Aurangabad in connection with Simra P.S. Case No. 44 of 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)

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