

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20679 of 2023**

Arising Out of PS. Case No.-344 Year-2022 Thana- GHORASAHAN District- East  
Champaran

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Sohan Kumar @ Sohan Patel Son Of Late Shankar Patel R/O Village- Shripur  
Kaiwya, P.S.- Ghorasahan (JHAROKHAR), District- East Champaran At  
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

2      22-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Petitioner seeks bail who is in custody since  
29.08.2022 in connection with Ghorasahan (Jharokhar) P.S.  
Case No. 344 of 2022, F.I.R. dated 22.06.2022 for the offences  
punishable under Section 379 of the Indian Penal Code.

According to prosecution case, the informant has  
parked his bullet motorcycle in the verandah of his house and  
the same has been stolen by unknown accused persons.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis that the stolen motorcycle has been recovered from the possession of the petitioner for which the Kazi Mohanmmadpur (Muzaffarpur) P.S. Case No. 171 of 2022 has been instituted under Sections 379 and 411 of the Indian Penal Code and the petitioner has been granted bail in the said case and thereafter, he has been remanded in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 29.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 11 criminal antecedents 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Ghorasahan (Jharokhar) P.S. Case No. 344 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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