

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22384 of 2023**

Arising Out of PS. Case No.-143 Year-2022 Thana- ARER District- Madhubani

Indal Kumar Mahto Son Of Jageshwar Mahto Resident of Village - Datuar,  
P.S. - Khajauli, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Advocate General Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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

2      22-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail, who is in custody since  
22.11.2022, in connection with Arer P.S. Case No. 143 of 2022,  
F.I.R. dated 26.09.2022 registered for the offences punishable  
under Sections 414, 34 of the Indian Penal Code.

The case relates to recovery of some number of plate of  
vehicle from the possession of the petitioner.

Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely 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 only on the basis of self confessional  
statement of the petitioner and on the basis of self confessional



statement of the petitioner, some number of plate of the vehicle has been recovered from the possession of the petitioner and motorcycle has been recovered from the possession of co-accused person and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.11.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries eleven more cases other than the present one but fairly submits from paragraph-3 of the petition that out of eleven cases, petitioner is on bail in five cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Benipatti, Madhubani in connection with Arer P.S. Case No. 143 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



witness, 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 antecedents, 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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