

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26843 of 2023

Arising Out of PS. Case No.-643 Year-2022 Thana- BAKHTIYARPUR District- Patna

Shilok Kumar Son Of Late Gopal Prasad Village Changar, Ashok Nagar, Gali
No. 8, Ps Kankarbag, District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 643 of 2022 dated 22.12.2022,
instituted for the offence punishable under Section 414 of the
Indian Penal Code.

3. The allegation is of recovery of one stolen Apache
motorcycle bearing registration no. BR 01 AB 5522 from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he is falsely implicated in this case. It
is further submitted that no incriminating article has been
recovered from the conscious possession of the petitioner and he
has been made accused in this case only on the basis of



suspicion. He further submitted that the seized motorcycle was belonged to brother-in-law of the petitioner therefore, he could not produce valid document at that time and got arrested. Lastly, it has been submitted that the petitioner is in custody since 23.12.2022 has one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate – III, Barh in Bakhtiyarpur P.S. Case No. 643 of 2022 corresponding to G.R. No. 2610 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. 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.

(Khatim Reza, J)

Sankalp/-

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