

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27458 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- GANDHIMAIDAN District- Patna

Kushal Anand Son Of Shailendra Prasad Singh Resident Of Village-
Mohuddin Nagar (BRAKI Beri) Ps- Mohuddin Nagar, Distt- Samastipur, At
Present New Punaichak, Baily Road, Ps- Shastri Nagar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gandhi Maidan P.S. Case No. 398 of 2022 lodged under
Sections 379/ 411 of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against the named accused person (petitioner) and the
recovery of one Hero Honda motorcycle, which is subject to
theft has been made from his possession. In the F.I.R. itself, it
has been disclosed that the petitioner has committed theft of five
different motorcycles on the basis of which his name has

inserted in other five criminal cases also.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that petitioner is in custody since 02.07.2022 and upon arrest, police has put his name in five other criminal cases also and in all those five cases, he is on bail. Counsel further submits that it is a magisterial triable case in which charge-sheet has already been submitted.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Gandhi Maidan P.S. Case No. 398 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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