

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30917 of 2023**

Arising Out of PS. Case No.-169 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Rohit Kumar @ Buchi S/O Laxmi Mahto R/O Village- Sakrauli, P.S-
Cheriyabariyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 04-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Khodawandpur P.S. Case No. 169 of 2022 registered for the
offence under Section 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 12.12.2022.

The allegation against this petitioner is to commit
theft alongwith other co-accused persons and while committing
so taken away motorcycle belongs to informant, where
occurrence alleged to be taken place while participating in a
marriage party.

Learned counsel appearing on behalf of the petitioner



submitted that alleged stolen motorcycle was not recovered from the possession of this petitioner and he was remanded in present case from Khodawandpur P.S. Case No. 81 of 2022 on the basis of self confession for the reason that petitioner is named with seven more criminal cases, where he is on bail in six cases, where in maximum of the cases, his name surfaced on the basis of confession, as of the present case. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as alleged stolen motorcycle not appears to be recovered from the possession of this petitioner, where he was remanded in present case out of self-confession, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 12.12.2022, accordingly the petitioner, above named, is directed to be released on bail in connection with Khodawandpur P.S. Case No. 169 of 2022 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, Manjhaul, District-
Begusarai/concerned Court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C., with further
conditions:

“(i) That accused/petitioner shall
not involve in any nature of offence till the
conclusion of trial, failing which the State
shall be at liberty to move before the Trial
Court itself for the cancellation of bail bond
of the petitioner.

(ii) That accused/petitioner shall
cooperate in the trial and shall be physically
present on each and every date before the
trial Court till conclusion of the trial and
exemption from physical appearance be
allowed by the trial Court, only on medical
ground of the petitioner, duly supported by
the documents.

(iii) That one of the bailors shall
be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

