

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34412 of 2023

Arising Out of PS. Case No.-525 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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DHEERAJ KUMAR son of Ramdarash Baitha Village- Nonoura Ward no-13,
Ps- Ghorasahan Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Town
P.S. Case No. 525 of 2022 registered for the offences under
section 379 of the Indian Penal Code lodged on 24.07.2022 by
the informant, Ravi Ranjan Kumar.

The case of the prosecution, in brief, is that on 14-07-
2022 between 04:00 to 07:00 PM., some unknown person took
away the motorcycle of the informant bearing Registration No.
BR-05-AB-4010 from his house. The informant tried to search
his motorcycle, but failed. Accordingly, the FIR.

Learned Counsel for the petitioner submits that the
alleged occurrence took place on 14.07.2022 whereafter the FIR



was lodged on 24.07.2022. Further, just to pat its back, the Police has implicated him in this case. He is ready to abide by all the terms and conditions, if granted bail.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the order sheet shows that he was arrested alongwith seized motorcycle and further another case vide Ghorasahan (Jharokhar) P.S. Case No. 432 of 2022 was lodged against him under sections 30(a) and 32(3) of the Excise Act.

Considering the fact that he is a young boy of 23 years, has remained in custody since 20.10.2022 (as stated in paragraph-9 of the bail application), will have to ultimately face the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Court of J.M.F.C., East Champaran, Motihari in connection with Town P.S. Case No. 525 of 2022, subject to the following conditions:-

- (i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;
- (ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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