

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38662 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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VISHAL KUMAR son of Dilip Sahni R/o- Ward No-3, Naya Tola Mohanpur
Ps- Muffasil Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioner is in custody in connection with Muffasil P.S. Case No. 100 of 2023 for the offence under Section 414 of the Indian Penal Code lodged on 21.02.2023 by the informant, Surya Narayan Mandal.

The prosecution case, in brief, is that on an information that the petitioner has kept a stolen motorcycle in his house. The informant thereafter raided his house and apprehended the petitioner while he was trying to escape. It has been further alleged that one Apache motorcycle bearing Engine No. BE4FH2084555 was recovered from his house which was seized, seizure list prepared and F.I.R. lodged

Learned counsel for the petitioner submits that there is



a recovery of motorcycle from a joint house for which he cannot be held responsible but has been implicated and is in custody since 22.02.2023

Learned APP opposes the prayer for bail stating that there is a recovery of motorcycle from his house.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that he is in custody since 22.02.2023 (as stated in paragraph-13 of the petition), do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

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 learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil P.S. Case No. 100 of 2023 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/her 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 his 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 the 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 his bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

Jagdish/kiran/-

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