

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36972 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

Prahalad Kumar @ Prahlad Kumar @ Prahalad Ray S/O Chandra Deo Ray
R/O Village- Jahagirpur, P.S- Shyampur Bhathan, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-06-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Tariyani P.S. Case No. 20 of 2023, registered for the
offences punishable under Sections 414, 419, 420 and 120B
of the Indian Penal Code.

The prosecution case as emerging from the FIR is
that on 05.02.2023 at about 02:45 P.M. the SHO of P.S.
Tariyani, while patrolling, found one white colour Sumo
parked near the house of one Bigan Ram, where one person
was repairing the aforesaid vehicle, started running after
seeing the police but was apprehended by police. Later, on



interrogation it was found that the alleged vehicle had fake registration number.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that even as per the FIR the alleged stolen vehicle has not been recovered from the possession of the petitioner. He also submits that there is no other connecting material to connect the petitioner in this case.

He further submits that the petitioner has been languishing in jail since 29.03.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. concerned Trial Court in connection with Tariyani P.S. Case No. 20 of 2023, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bond



of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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