

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38824 of 2023**

Arising Out of PS. Case No.-191 Year-2023 Thana- GURUA District- Gaya

Sudhir Kumar S/O Arvind Paswan R/O Village- Arshi Khurd, P.S- Gurua,  
Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      01-08-2023      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since  
13.04.2023 in connection with Gurua P.S. Case No. 191 of  
2023, F.I.R. dated 12.04.2023 for the offences punishable under  
Sections 420, 467, 414/34 of the Indian Penal Code.

4. According to prosecution case, this petitioner was  
caught red handed with a stolen motorcycle by the police party  
at the time of vehicle checking campaign and he allegedly  
changed the original number plate of the motorcycle with a fake  
one.



5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per the allegation alleged in the F.I.R., this petitioner has been arrested along with one looted motorcycle. He further submits that in fact, the friend of the petitioner asked the petitioner to go to the local market and on his request the petitioner has gone to the market with the motorcycle in question and he was apprehended along with the said motorcycle which was looted/theft motorcycle. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.04.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Sherghati, Gaya in connection with Gurua P.S. Case No. 191 of 2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Vanisha/-

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