

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47942 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- TARARI District- Bhojpur

Vikash Kumar Son of Sri Bhagwan Singh Resident of village - Maheshdih,
P.S. - Tarari, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2023 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
10.05.2023 in connection with Tarari P.S. Case No. 83 of 2023,
F.I.R. dated 09.05.2023 for the offences punishable under
Section 414 of the Indian Penal Code.

4. According to prosecution case, this petitioner was
apprehended by the police personnel and on query about the
motorcycle which he was riding, the petitioner was neither able
to produce any relevant paper nor gave any satisfactory answer
which shows that the said motorcycle was a stolen one.



5. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner has got information on telephone that the condition of his mother is not good for this reason the petitioner has taken the motorcycle from one Ashok Kumar but in the meantime he was apprehended along with the motorcycle in question. The petitioner is in custody since 10.05.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

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 1st Class, Bhojpur in connection with Tarari P.S. Case No. 83 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)

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