

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47354 of 2023

Arising Out of PS. Case No.-258 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Rahul Kumar Son Of Pappu Manjhi Village Nauranga P.S. Muffasil District
Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath,Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
26.03.2023 in connection with Makhdumpur (Tehta) P.S.
Case No. 258 of 2023, F.I.R. dated 25.03.2023 registered for
the offence punishable under Sections 379 and 411 of the
Indian Penal Code.

3. Allegation against the petitioner is that he has
been caught hold red-handed with the stolen motorcycle.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits
that the allegation as alleged in the FIR is false and fabricated



and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was standing near the place of occurrence and merely on the basis of suspicion the petitioner has been apprehended and he has been handed over to the police and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 26.03.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned Addl. Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur (Tehta) P.S. Case No. 258 of 2023, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) 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.

(III) 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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