

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52786 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- NARHATT District- Nawada

PAPPU MAHTO SON OF DALCHAND MAHTO RESIDENT OF
VILLAGE- BARITHADI, PS- MAHUA THADH DIST- BOKARO,
JHARKHAND

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 22-08-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 29.05.2023 seeks bail, in connection with Narhat P.S. Case No.163/2023, dated 13.04.2023, for the offence punishable under Section 379 of the IPC.
3. According to prosecution case, some unknown thieves have stolen the Bolero Pick up van of the informant.
4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation and one motorcycle has been recovered from the possession of



the petitioner. He further submits that for the same occurrence, Bishnugarh P.S. Case No. 87/2023 has been filed against the petitioner and the petitioner has been granted bail in Bishnugarh P.S. Case No. 87/2023 on 05.06.2023 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody in this case since 29.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one but fairly submits that the petitioner is on bail in aforesaid case.

6. 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 C.J.M., Nawada in connection with Narhat P.S. Case No.163/2023, 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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