

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53822 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- BALIYA District- Begusarai

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Gaurav Kumar Singh S/O Sudhir Kumar Singh R/O Village- Rahatpur, Ward
No. 1, P.S- Balia, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-08-2023 Heard the learned counsel for the petitioner and the

State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Balia P.S. Case No. 90 of 2023, registered
for the offences punishable under Sections 379, 411 and 414 of
the Indian Penal Code.

3. As per the FIR, it is alleged that the motorcycle of
the informant, which was parked in the house of one Santosh
Kumar was stolen by unknown persons.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case. The petitioner is not named in the FIR. His name
has transpired in the confessional statement of apprehended co-
accused Amar Kumar. It is further submitted that nothing has



been recovered from the possession of the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated in paragraph no. 3 that the petitioner is also involved in one other case, in which he is on bail.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, 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 the Ld. Chief Judicial magistrate, Begusarai, in connection with Balia P.S. Case No. 90 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner



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

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

9. The learned counsel for the petitioner is directed to remove all the defects 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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