

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56169 of 2023

Arising Out of PS. Case No.-321 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Deepak Kumar, Son of Pappu Sah, Resident of Village-Madanpur, Police
Station-Kajra, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai P.S. Case No.321/2023, lodged on 08.05.2023 under
Sections 379, 401, 420, 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged
against unknown about theft of the vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The name
of the petitioner has figured in this case by virtue of
confessional statement of co-accused from whose possession,
the alleged motorcycle has been recovered.

5. It has come in the order-sheet that the petitioner is
habitual in dealing the stolen motorcycle whereas the counsel



for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 22.06.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, subject to verification of the factum of criminal antecedent of the petitioner by the trial Court, as mentioned in paragraph no.3 of the petition, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai in connection with Lakhisarai P.S. Case No. 321/2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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