

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56194 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- NTPC District- Bhagalpur

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Saurabh Sah S/O Ashok Sah R/O Village- Aliganj, Ps. Mojahidpur
(BABARGANJ), Dist. Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP

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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
N.T.P.C. P.S. Case No.73 of 2022 registered on 30.09.2022
lodged under Sections 379 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against unknown with an allegation of committing theft of a
motorcycle.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He submits that petitioner is not
named in the FIR and is in custody since 21.11.2022. Counsel
submits that though the petitioner is accused in 6 more criminal
cases but out of 6, in 5 cases he is on bail while in one case he
has been acquitted.

5. Upon specific call that whether charge has been framed or not, counsel for the petitioner submits that charge has been framed.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, if the charge has been framed then the Trial Court is directed to release the petitioner on bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur, in connection with N.T.P.C. P.S. Case No.73 of 2022, 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.)

Ashishsingh/-

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