

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58001 of 2023**

Arising Out of PS. Case No.-966 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Niraj Kumar S/O- Durga Ram R/O- Village- Gangti, P.S.- Sikandra, Dist.-  
Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-09-2023                      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  
31.01.2023 in connection with Lakhisarai (Kabaiya) P.S. Case  
No. 966 of 2022, F.I.R. dated 02.12.2022 registered for the  
offence punishable under Sections 379/411 of IPC.

3. The FIR of the occurrence of theft is against  
unknown.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has falsely been implicated in the  
present case. Petitioner is not named in the FIR. The name of  
the petitioner has been transpired during investigation. The  
petitioner was arrested in Lakhisarai P.S.Case No.1023 of 2022  
and on the basis of the confessional statement lead to the



motorcycle in question and the police, after investigation, submitted chargesheet against the petitioner and the recovery has been made from the house of co-accused, namely, Nitesh Kumar and the petitioner is in custody since 31.01.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

6. Considering the aforesaid fact, 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 Additional Chief Judicial Magistrate-II, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 966 of 2022, 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)**

Nitesh/-

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