

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61543 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- PUNAURA District- Sitamarhi

Arvind Ray Yadav S/O Pramod Ray Yadav R/O Village- Pakha Bakhari, P.S-
Dharampur, Distt.- Rautahat, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-09-2023 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
01.05.2023 in connection with Punoura P.S. Case No. 74 of
2023, F.I.R. dated 15.03.2023 registered for the offence
punishable under Section 379 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 on the
basis of the confessional statement of the petitioner and the
petitioner has been remanded in the present case from



Majorganj P.S.Case No.92 of 2023 and in Majorganj P.S.Case No.92 of 2023 one stolen motorcycle has been recovered from possession of the petitioner and in the present case nothing has been recovered from possession of the petitioner and he has been remanded in the present case from Majorganj P.S.Case No.92 of 2023 on 01.05.2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.05.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 Chief Judicial Magistrate, Sitamarhi in connection with Punoura P.S. Case No. 74 of 2023, 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)

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