

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61885 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- SAHPUR District- Patna

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Shashi Kumar S/O Late Om Prakash @ Om Prakash Ram R/O Village-
Lodipur Chandmari, P.S- Shahpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.02.2023 in connection with Shahpur P.S. Case No. 76 of
2023, F.I.R. dated 05.02.2023 for the offences punishable under
Section 379 of the Indian Penal Code.

3. According to prosecution case, the Bolero vehicle
of the informant got stolen by some miscreants.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired
during investigation. He further submits that the petitioner was
arrested in Gardanibagh P.S. Case No. 26 of 2023 in which he



has confessed his guilt in the present occurrence and on the basis of the confession of the petitioner, the vehicle in question was recovered from Chandan Parking. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 15.02.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, 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 the learned Judicial Magistrate 1st, Danapur, Patna in connection with Shahpur P.S. Case No. 76 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, his 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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