

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60256 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- MAIRWAN District- Siwan

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Pawan Kumar Giri S/o Krishna Giri Resident of village- Raghunathpur
Dhodaha, P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mrs. Kumari Anupam, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Mairwa P.S. Case No. 218 of 2022, registered
for the offences punishable under Sections 379, 414 of the
Indian Penal Code.

The prosecution case is based on the written report of
the informant alleging therein that a vehicle bearing Registration
No. BR-29H-3306 got stolen in front of the house of the
informant and soon thereafter with the help of GPS the
informant reached at the place, where the vehicle was kept and



apprehended two persons, including the petitioner along with the vehicle.

Learned counsel appearing on behalf of the petitioner submits that from the FIR, it is evident that there is no eyewitness to the alleged occurrence of theft of the vehicle, however, as the vehicle was kept in a place where the petitioner was found present, and he was apprehended by the local people on suspicion and thereafter handed over to the police. She further submits that offences are triable by Magistrate and moreover the petitioner having fair antecedent, is in custody since 29.05.2022.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner was apprehended along with the stolen vehicle.

Regard being had to the submissions made on behalf of the parties and considering the fact that the offences are triable by the Magistrate and the petitioner having fair antecedent, is in custody since 29.05.2022, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 7th, Siwan, in connection with Mairwa



P.S. Case No. 218 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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