

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63526 of 2023

Arising Out of PS. Case No.-203 Year-2022 Thana- DUMRA District- Sitamarhi

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Ram Pravesh Mahto S/O Devnandan Mahto R/O Village- Nanpur (Dakshni)
Ward No. 9, P.S.. Nanpur, Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ratneshwar Prasad, Advocate
		Ms.Nitu Kumari, Advocate
For the Opposite Party/s :		Ms.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Dumra P.S. Case No.203 of 2022 registered for the offences punishable under Sections 413 and 414/34 of the Indian Penal Code. The petitioner has got two criminal antecedents in which he is said to be on bail.

3. As per the prosecution story, the allegation against the petitioner is that he was found involved in committing theft of motorcycles.

4. Learned counsel for the petitioner submits that the stolen motorcycles have been recovered from the house of co-accused Dinesh Mahto, Raja Kumar and Bablu Kumar and so



far as this petitioner is concerned, nothing has been recovered either from his possession or from his house. Learned counsel submits that the name of the petitioner has transpired in the statement of the apprehended person but without any other material to support the accusation.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the stolen motorcycles have been recovered from the house of co-accused Dinesh Mahto, Raja Kumar and Bablu Kumar and so far as this petitioner is concerned, nothing has been recovered either from his possession or from his house and his name has transpired in the statement of the apprehended person but without any other material to support the accusation, this Court directs that in case of his arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Dumra P.S. Case No. 203 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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