

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63413 of 2022

Arising Out of PS. Case No.-410 Year-2022 Thana- RAXAUL District- East Champaran

Surat Kumar Son of Bharat Sah R/v- Naykatola P.S.- Harpur (Raxaul),
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 413, 414 of the Indian Penal
Code.

The prosecution case, in short, is that police Sub-
Inspector, Raxaul arrested the accused along with motorcycle
and when the owner book of the said motorcycle was called
then the accused disclosed that he has no valid paper and this
motorcycle is stolen vehicle.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that nothing has been
recovered from the conscious possession of the petitioner rather



the petitioner was standing near the motorcycle in question and he was apprehended on the basis of suspicion. He further submits that there is non-compliance of Section 100 of the Cr. P.C. and the petitioner has no concern at all with the alleged recovery of the motorcycle. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Raxaul P.S. Case No. 410 of 2022, with the following conditions :-

(1) 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.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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