

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67503 of 2023

Arising Out of PS. Case No.-300 Year-2023 Thana- SITAMARHI District- Sitamarhi

SHATRUDHAN SAH Son of Ram Prakash Sah R/o vill - Pipra Khurd ward
no. 5, P.S. - Parihar, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Sitamarhi (Mehsaul) P.S. Case No.300/2023, lodged on
12.04.2023 under Section 379 of the Indian Penal Code.

3. As per the prosecution, the allegation is against the
unknown person about theft of motorcycle of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR, rather his name has figured
in this case on the basis of suspicion. Neither any incriminating
article has been recovered from the possession of the petitioner
nor the petitioner has been put on Test Identification Parade.
There is one more criminal pending against the petitioner and in



this case, the petitioner has been remanded. The petitioner is in custody since 15.06.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi, in connection with Sitamarhi (Mehsaul) P.S. Case No.300/2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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