

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69695 of 2023

Arising Out of PS. Case No.-01 Year-2022 Thana- NALANDA District- Nalanda

Navin Singh, Son of Late Sukhdeo Singh, Resident of Village- Dedaur, P.S.-
Bakhtiyarpur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nalanda P.S. Case No. 01 of 2022, registered for the alleged offences under Section 414 of the Indian Penal Code.

3. As per prosecution case, police received information about villagers apprehending a person on account of suspected theft and the police was also informed that the petitioner and other co-accused were standing near a four wheeler and their activities were suspicious. The co-accused Kundan Kumar @ Karu Singh was apprehended, who named this petitioner. Later on, the police came to know that the vehicle was stolen and the petitioner was dealing stolen



property.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person/possession. The name of the petitioner came in this case merely on the disclosure of co-accused, who was apprehended from the spot. No offence under Section 414 IPC is made out against this petitioner as the stolen car was not recovered from the person/possession of the petitioner. The petitioner is in custody since 12.05.2022. The petitioner is having criminal antecedents of two more cases, but he is on bail in both the cases.

5. Learned A.P.P. vehemently opposes the submissions made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offender and he is having two cases of similar nature.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of custody of the petitioner coupled with the fact that he was not apprehended from the spot, the petitioner is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Nalanda P.S. Case No. 01 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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