

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70724 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- NTPC District- Bhagalpur

=====

Ajay Mahto Son Of Mushru Mahto Resident Of Village Ishakchak P.S.
Ishakchak District Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Adv.
For the Opposite Party/s : Mr. Surendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
N.T.P.C. P.S. Case No. 73 of 2022 lodged under Section 379 of
the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown persons relating to theft of motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that in the present case, the petitioner has been remanded.
Nothing was recovered from his possession and he was not put
on T.I.P.

5. Counsel also submits that the other co-accused has
been granted bail by this Court vide order dated 30.08.2023



passed in Cr. Misc. No. 56194 of 2023. Counsel further submits that there are 4 criminal cases pending against the petitioner in which he is on bail in all the cases and he is in custody since 21.11.2022. Counsel submits that the present case is magisterial triable in nature.

6. Learned counsel for the State opposes the prayer for bail.

7. 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 C.J.M., Bhagalpur in connection with N.T.P.C. P.S. Case No. 73 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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.)

Prakashmani/-

U		T	
---	--	---	--

