

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66866 of 2023

Arising Out of PS. Case No.-475 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MUNNA DAS Son of LATE AMIN DAS Resident of Village pabai, P.S.
Amarpur District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR KOTWALI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kotwali (Barari) P.S. Case No. 475 of 2023 registered on
23.05.2023 lodged under Sections 414/34 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against two named and one unknown accused persons.
Recovery of motorcycle is alleged to be made from the
possession of the petitioner is the subject matter of this case.

4. Counsel for the petitioner submits that due to
wrong impression, police has arrested him and shown the
recovery of motorcycle in the name of the petitioner.

5. Counsel further submits that petitioner is innocent



and has committed no offence. He further submits that petitioner is in custody since 24.05.2023 having one criminal antecedent in which he is on bail which is Magisterial triable.

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 A.C.J.M.,II Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 475 of 2023 subject to the following conditions as well as the condition laid down under Section 437(3) of the Cr.P.C.

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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