

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75411 of 2022

Arising Out of PS. Case No.-536 Year-2022 Thana- ARA NAWADA District- Bhojpur

Govinda Yadav S/o Late Sudarsan Yadav R/v- Sheetal Tola, P.S.- Ara
Nawada, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Raj Ram, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
26.06.2022, in connection with Ara Nawada P.S. Case No. 536
of 2022, F.I.R. dated 25.06.2022 registered for the offences
punishable under Section 414 of the Indian Penal Code.

The case relates to theft of motorcycle against co-
accused person including the petitioner.

Learned counsel for the petitioner submits that for the
same occurrence another case bearing Ara Nawada P.S. Case
No. 535 of 2022 was also instituted against the petitioner and
the petitioner is on bail in that case. He further submits that it
appears from the F.I.R. as well as seizure list that recovery has
been made from the possession of the petitioner and another co-



accused persons and the co-accused who was apprehended along with the petitioner has been granted bail by the learned Court below itself vide order dated 31.03.2023 passed in B.P. No. 1762 of 2023. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 26.06.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one but fairly submits from paragraph-3 of the petition that the petitioner is on bail in all the cases. .

Considering the facts and circumstances of the case and the period of custody, 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 Chief Judicial Magistrate, Ara, Bhojpur in connection with Ara Nawada P.S. Case No. 536 of 2022, subject to 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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