

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70779 of 2023

Arising Out of PS. Case No.-504 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Rahul Kumar Son Of Jayram Mahto Resident Of Village- Ukshi (Uski), PS-
Karandeey , Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Sheikhpura P.S. Case No.504 of 2023, lodged on 03.08.2023,
under Sections 379/414 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner. The
allegation against the petitioner that a motorcycle, which was
subject to theft, has been recovered from the possession of the
petitioner for which FIR has been registered in Kotwali Police
Station.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner has its own motorcycle workshop at



Sheikhpura and the customer has brought this motorcycle at his shop for servicing. Counsel submits that in the meantime police reached and arrested him. Counsel further submits that antecedent of the petitioner is clean and he is in custody since 03.08.2023. Counsel further submits that the offence in which the case has been lodged against him are magisterial triable.

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

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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No.504 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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)

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