

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67642 of 2022

Arising Out of PS. Case No.-198 Year-2022 Thana- DEEPNAGAR District- Nalanda

Ravi Kumar, S/O Pappu Thakur, R/O Village- Kanchanpur, P.S- Fatuha in the district- of Patna

... .. 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. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Pankaj Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Deepnagar P.S. Case No. 198 of 2022 registered for the offences punishable under Sections 379 and 414 of the Indian Penal Code.

Allegedly the petitioner was arrested, while he was moving with the stolen motorcycle and on demand he failed to produce the paper showing the ownership of the said motorcycle.

Learned counsel appearing on behalf of the petitioner



submits that in fact no such occurrence as alleged has taken place, rather on the alleged date of occurrence, one person came and parked the motorcycle near the shop of the petitioner and when the petitioner objected, the alleged person misbehaved him and thereafter he came along with the police personnel and on his persuasion this false case has been instituted. It is further submitted that the seizure list does not contain the signature of the petitioner, which makes the entire case suspicious, apart from the fact that the petitioner is in custody since 02.05.2022.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation, coupled with the period of custody and the fact that the investigation of the crime is already complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No. 198 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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