

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68663 of 2023

Arising Out of PS. Case No.-357 Year-2023 Thana- GHORASAHAN District- East
Champaran

Kartik Kumar Son Of Ramdeo Rai @ Rajdev Ray Resident Of Village-
Yadubanshi Nagar, P.S.- Ghorasahan, Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ghorasahan P.S. Case No. 357 of 2023 lodged under Sections
413, 414/34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 3 named accused persons including the present
petitioner. The petitioner was apprehended by the police with a
motorcycle whose vehicle number was not available with him.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that petitioner and co-accused was coming from the alleged
stolen motorcycle. When the accused persons saw the police

team they tried to flee away and upon chasing, police has arrested the petitioner.

5. Counsel for the petitioner submits that petitioner is in custody is since 18.06.2023 having clean antecedent. He further submits that the case in which the petitioner has been apprehended, is magisterial triable in nature.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is clean.

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.- III, Sikrahana at Dhaka in connection with Ghorasahan P.S. Case No. 357 of 2023, 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.)

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