

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71019 of 2023

Arising Out of PS. Case No.-902 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Devanand Murmu, Son Of Shivanand Murmu Resident Of Village-
Baharkhal, P.S.- Rautara, Dist- Katihar,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
K. Hat P.S. Case No. 902 of 2023, lodged on 31.07.2023 under
Sections 413, 414 and 401 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 5 named accused persons including the present
petitioner and in the FIR, a laptop and one mobile phone which
was subject to theft has been recovered from the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He also
submits that the petitioner has taken specific plea that he
belongs to poor family and he purchased the second hand laptop



and a mobile phone from local market. He further submits that the antecedent of the petitioner is clean and he is in custody since 01.08.2023. Counsel also submits that the offence in which case has been filed are majestrial traible.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

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, Purnea in connection with K. Hat P.S. Case No. 902 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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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