

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71012 of 2023

Arising Out of PS. Case No.-429 Year-2023 Thana- DHAKA District- East Champaran

Anshu Kumar, S/O Gajendra Paswan R/o vill - Sirouna, P.S. - Shikarganj,
Dist. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 No one appears on behalf of the petitioner, however
learned A.P.P. for the State present.

2. From perusal of record, it appears that the present application has been filed by the petitioner seeking regular bail in connection with Dhaka P.S. Case No. 429 of 2023, lodged on 26.07.2023 under Sections 413, 414 and 34 of the Indian Penal Code.

3. It transpires to this Court from the record that the present case has been filed against 17 named accused persons including the present petitioner against whom the allegation is that they sell the motorcycle at different places for Rs. 10,000/- to Rs. 12,000/- after committing theft.

4. From the seizure list, it transpires that 3 such motorcycles were recovered whose documents were not



available with the petitioners.

5. Learned counsel for the State submits that from the record, it transpires that there is no criminal antecedent of the petitioner and the petitioner is in custody since 27.07.2023 and the charge-sheet has already been filed. He further submits that the offences in which case has been lodged are majestic trial triable.

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

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **only after framing of charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 429 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.)

Divyansh/-

U		T	
---	--	---	--

