

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.587 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- BELA District- Sitamarhi

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Raghunandan Das Son of Tapeswar Das Resident of Village- Timkiya, P.S.-
Ramgopalpur, District- Mohatari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nirmala Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-03-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

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

The petitioner seeks regular bail, who is in custody in
connection with Bela P.S. Case No. 224 of 2022, registered for
the offences punishable under Section 414 of the Indian Penal
Code.

Allegedly, the police in course of patrolling
apprehended the petitioner and Baliram and from their
possession one TVS Scooty motorcycle was recovered. On
interrogation the recovered motorcycle is found to be stolen one.



Learned counsel appearing on behalf of the petitioner submits that in fact nothing has been recovered from the person and possession of the petitioner, however, on suspicion the name of the petitioner has been implicated in this case. Moreover, there is no substantive FIR/complaint with regard to the theft of the TVS Scooty motorcycle, which is said to have been recovered from the possession of the petitioner and one another co-accused person. He further submits that be that as it may be, the present case is triable by Magistrate and now the petitioner has remained in custody for over a period of six months, apart from the fact that investigation of the crime is already complete.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the stolen motorcycle has been recovered from the possession of the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the fact that the offence is triable by the Magistrate and the petitioner having fair antecedent, is in custody for over a period of six months, 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 Sub-Divisional



Judicial Magistrate, Sadar Sitamarhi in connection with Bela P.S. Case No. 224 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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