

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.655 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- JAYNAGAR District- Madhubani

Santosh Kumar Byar @ Santosh Byar, S/O-Brahamdev Byar, resident of
village-Khauna, Police station-Basopatti, Dist-Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Jaynagar P.S Case No. 16 of 2022
registered for the offences punishable under Section 379 of the
Indian Penal Code. He has got one criminal antecedent.

The informant in his written report alleged that some
unknown thief committed theft of his SP- SHINE(HONDA)
motorcycle bearing registration No. BR32-AC0778 on
12.01.2022 when he parked his motorcycle near FCI godown.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is submitted that the stolen motorcycle has been
recovered from the godown of co-accused Ganesh Kumar Sah.

Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case from which it appears that the stolen motorcycle has been recovered from the godown of the co-accused Ganesh Kumar Sah, this Court directs release of the petitioner above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Jaynagar P.S case No. 16 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

