

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1915 of 2023

Arising Out of PS. Case No.-577 Year-2022 Thana- NAWADA District- Nawada

Akash Kumar, S/O Dinesh Prasad, Resident of village- Bhatta, P.S.- Roh,
District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rabi Bhushan, Advocate

For the Opposite Party : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Heard Mr. Rabi Bhushan, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Nawada Town P.S. Case No. 577 of 2022
registered for the offences punishable under Sections 414 and
420 of the Indian Penal Code.

Allegedly the police in course of patrolling duty
intercepted the petitioner, who was coming on a motorcycle.
However, on demand made by the police personnel, no paper
showing the ownership has been produced and it has been found
that the vehicle was a stolen property.

Learned counsel appearing on behalf of the petitioner
submits that there is no whisper about the theft of seized



motorcycle and, as such, no case under Section 414 of the Indian Penal Code is made out. He next submits that, in fact, on account of some altercation took place between the police personnel and the petitioner in course of vehicle checking, the present F.I.R. has been instituted against him. Moreover, there is complete defiance of Section 100 (6) of the Cr.P.C. and now the petitioner is in custody for over a period of ten months, having fair antecedent.

On the other hand learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the offences are triable by the Magistrate, coupled with the period of custody and fair antecedent, 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 Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 577 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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