

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4335 of 2024

Arising Out of PS. Case No.-481 Year-2023 Thana- BAGHA District- West Champaran

SONU KUMAR SON OF CHANDRAGHAS KEWAT @ CHANDRABOS
KEVAT Resident of Village - Narainapur, Ward No. 10, Police Station -
Bagaha (Pathkhauri), District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is in custody in connection with Bagaha (Pathkhauri) P.S. Case No. 481 of 2023 for the offence punishable under sections 413, 414 and 34 of the Indian Penal Code, lodged on 06.07.2023 by the informant, Rakesh Kumar.

3. As per the prosecution story, during patrolling upon secret information raided the house of Dipu Yadav and recovered/seized stolen motorcycle. The locals revealed that both Dipu Yadav and Sonu Kumar are in the business of selling of stolen motorcycles. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only on the basis of allegation of the locals he has been dragged in. Recovery is from the house of the Dipu Yadav.



5. Learned APP opposes the prayer for bail.

6. Considering the fact that the recovery is from the house of Dipu Kumar and not either from the conscious possession of this petitioner or his house, he is in custody since 12.10.2023 (para 10 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Bagaha, West Champaran in connection with Bagaha (Pathkhauli) P.S. Case No. 481 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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