

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12884 of 2024

Arising Out of PS. Case No.-417 Year-2021 Thana- BIDUPUR District- Vaishali

Shiv Nath Rai Son of Nanhaka Rai Resident of Village - Sukumarpur, P.S.-
Raghopur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bidupur
P.S. case No. 417 of 2021 instituted for the offences under
Sections 379, 411 of the Indian Penal Code.

3. Prosecution case, as per F.I.R., is that the tractor of
the informant got stolen by unknown person.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case merely
on suspicion. The petitioner is not named in the F.I.R. Learned
counsel further submitted that petitioner has got no concern with
the stolen tractor. No incriminating article has been recovered
from the conscious possession of the petitioner. It has been
submitted on behalf of the petitioner that the petitioner is in
custody since 26.12.2022 and has no criminal antecedent.



Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, **after framing of charge, if not already framed** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bidupur P.S. case No. 417 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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