

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23888 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- ATRI District- Gaya

Satendra Kumar S/o Latan Prasad R/o vill - Shukhe Bigha, P.S. - Atri, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Atri P.S. Case No. 10 of 2024 dated 10.01.2024 registered for the offence punishable under Sections 379, 411, 420, 467 and 468 of the Indian Penal Code.

3. Allegation is of recovery of one Yamaha motorcycle without any valid documents from the possession of the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that he has been caught merely on suspicion and no F.I.R. has been lodged regarding the theft of Yamaha



motorcycle. It is further submitted that the seizure list has not been prepared in accordance with the law. There is no independent witness on the alleged seizure list. It is submitted that nothing has been recovered from the possession of the petitioner. It is also submitted that petitioner has been falsely implicated in the present case due to high handedness of the police. Lastly, it has been submitted that the petitioner is in custody since 10.01.2024, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Atri P.S. Case No. 10 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

prabhat/-

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

