

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24386 of 2024

Arising Out of PS. Case No.-1019 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Manjeet Kumar @ Manjeet Sah Son of Ramekbal Sah Resident of Village -
Dhamapakar, P.S. - Manjhagarh, District - Gopalganj
 2. Rajkumar @ Raj Kumar @ Raj Kumar Singh Son of Awadh Singh Resident
of Village - Dhamapakar, P.S. - Manjhagarh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr. Setu Prateek, learned counsel for the

petitioners and Mr. Shyam Bihari Singh, learned Additional

Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since
27.12.2023 in connection with Gopalganj (Town) P.S. Case No.
1019 of 2023, F.I.R. dated 26.12.2023 for the offences
punishable under Sections 411, 413 and 414 of the Indian Penal
Code.

3. According to prosecution case, two stolen
motorcycles have been recovered from around the house of the
petitioners.

4. Learned counsel for the petitioners submits that
petitioners are innocent and they have falsely been implicated
in the present case on the basis of the confessional statement



made by the co-accused person, namely, Jeeshan Ali. He further submits that although two motorcycles have been recovered from the possession of the petitioners but the same were purchased from the accused persons and they have no knowledge whether motorcycles in question are theft articles or not. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioners are in custody since 27.12.2023.

5. The learned Additional Public Prosecutor on the basis of the material available on record and the case diary has vehemently opposed the prayer for bail of the petitioners and submits that the recovery has been made from the house of the petitioners. And apart from that the Petitioner No. 1 carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the said matter and Petitioner no. 2 has clean antecedent.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with



Gopalganj (Town) P.S. Case No. 1019 of 2023, subject to the following conditions:-

- i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.
- ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioner have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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