

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25302 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- LADANIA District- Madhubani

Chandan Kumar Thakur Son Of Dhanpati Thakur @ Dhanpati Thakur R/O
Vill- Ladania, Ps- Ladania, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2024 Heard Mr. Sanjay Kumar Jha, learned counsel for
the petitioner and Mr. Narendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ladania P.S. Case No. 266 of 2023, F.I.R. dated 06.10.2023 for the offences punishable under Sections 414, 420, 467, 468/34 of the Indian Penal Code.

3. According to prosecution case, one co-accused, Raushan Kumar Yadav was arrested with a stolen motorcycle and he disclosed the name of this petitioner who accompanied him while giving the number plate of the said motorcycle for painting to conceal the evidence.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case on the basis of the disclosure made by the co-accused, namely, Raushan Kumar Yadav. He further submits that the petitioner has no concern at all with the alleged occurrence or the co-accused person and except the disclosure made by the co-accused person, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one criminal antecedent 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 the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Madhubani in connection with Ladania P.S. Case No. 266 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

- i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. 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.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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