

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32157 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- KATORIYA District- Banka

Ramji Yadav @ Ramji Kumar S/o Nundeo Yadav @ Nandev Yadav Ro
village Baithabandh, PS Katoriya, Dist Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Katoria. registered under Sections 379/411 of the Indian Penal Code lodged on 21.09.2023 by the informant, Bhairo Yadav.

3. As per the prosecution story, the informant alleged that when he got up found his motorcycle missing, upon search found that the four miscreants riding on two motorcycles were taking away his motorcycle. However, as he rushed, they escaped leaving behind his motorcycle as also the other motorcycle which was handed over to the police. Accordingly the F.I.R.

4. The said motorcycle turned out to be that of the



petitioner and in that way, he has been implicated.

5. Learned counsel for the petitioner submits that his motorcycle was parked outside the house of the petitioner, due to minor tiff, a story was created and his motorcycle was handed over to the police. He is further ready to cooperate in the investigation/ diligently appearing in trial. The last submission is that he do not have criminal antecedent.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that the motorcycle that was seized along with the motorcycle of the informant found turned out to be that of the petitioner.

7. Taking into account the submissions as also the fact that the petitioner do not have criminal antecedent, he is a young person, F.I.R lodged and will be facing the trial, this Court is inclined to grant him privilege of anticipatory bail.

8. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka. in connection with Katoriya P.S. Case No – 332/2023 subject to condition as laid down under Section



438(2) of the Cr.P.C.

(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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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