

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35711 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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LALBABU MAHTO @ LALBABU KUMAR SON OF LATE KISHORI
MAHTO RESIDENT OF VILLAGE - MATHAULI, P.S. - BAIRIYA,
DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bettiah
Town P.S. case No. 65 of 2024 instituted for the offences under
Sections 379 and 411 of the Indian Penal Code.

3. Prosecution case, in short, is that motorcycle of the
informant was stolen by some unknown persons.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation on the basis of
confessional statement of the co-accused Arman Khan. No



incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that although the motorcycle in question was recovered from the house of the petitioner, he has got no concern with the said motorcycle as the same was parked by the co-accused Arman Khan in his house. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.02.2024 and has one criminal antecedent.

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 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 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 Bettiah Town P.S. case No. 65 of 2024, 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.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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