

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37240 of 2024

Arising Out of PS. Case No.-567 Year-2023 Thana- BIDUPUR District- Vaishali

Akhilesh Kumar @ Akhilesh Kr Rai Son Of Kapil Rai Resident Of Village -
Dulaur, P.S- Jandaha, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bidupur
P.S. case No. 567 of 2023 instituted for the offences under
Section 379 of the Indian Penal Code and further Section 414 of
the Indian Penal Code was added.

3. Prosecution case, in short, is that the motorcycle of
the informant, which was parked outside his house, was stolen
by 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 only on the basis of



self confessional statement made in Jandaha P.S. Case No. 297 of 2023. Learned counsel further submitted that, as a matter of fact, the petitioner was arrested with a motorcycle for which separate case was lodged and police implicated this petitioner in the present case only on the basis of changed number plate but, in fact, the engine number and chasis number of both the registration numbers are same, therefore, it appears that only one motorcycle has been recovered from the possession of this petitioner but he has falsely been implicated in two cases. Learned counsel further submitted that considering the aforesaid facts and circumstances, no case is made out against this petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.01.2024 and has two criminal antecedents but he is on bail in both the cases.

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 Bidupur P.S. case
No. 567 of 2023, 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/-

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

