

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38843 of 2024

Arising Out of PS. Case No.-258 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Bittu Kumar Son of Gaya Prasad Singh Resident of Village - Ordih Bigha
(Ordi Bigha), P.S.- Kutumba, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Aurangabad Town P.S. Case No.258 of 2024 lodged under
Sections 379, 413, 414 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four named accused persons including the
petitioner against whom there is allegation that they have kept a
motorcycle which was subject to theft.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is living on rent in the house from where the
said motorcycle has been recovered.



5. Counsel submits that the petitioner's name has figured in this case only due to suspicion. He submits that the petitioner is in custody since 04.04.2024 having clean antecedent.

6. Counsel further submits that the offence under which the petitioner has been charged, is magisterial triable in nature.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Aurangabad Town P.S. Case No.258 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J.)

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