

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42228 of 2024

Arising Out of PS. Case No.-180 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Md. Mahatab @ Golaki S/O Shah Alam R/O Village Shikarganj, P.S.
Shikarganj, Distt-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pakridayal P.S. Case No. 180 of 2022 dated 10.07.2022, lodged
under Section 379 of the I.P.C.

3. As per the prosecution case, a motorcycle has been
recovered, which is the subject matter of the present case for
which a criminal case has been lodged against unknown accused
persons.

4. Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case during
investigation by the confessional statement of co-accused. He
further submits that there are four criminal cases pending
against the petitioner, out of which, in three cases he is on bail

and in one case he is persuading for bail. He further submits that the petitioner is in custody since 20.01.2024. He further submits that the co-accused has been granted bail by this Court as well as by the Co-ordinate Bench of this Court vide order dated 07.07.2023 and 03.07.2023 passed in Cr. Misc. No. 39493 of 2023 and Cr. Misc. No. 37443 of 2023 respectively. He further submits that the offence in which the case has been filed is magisterial triable in nature.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Upon specific query of the Court that whether charge has been framed in this case or not, learned counsel for the petitioner submits that he is not aware that charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail (but only after two months of framing of charge, if not framed) on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 180 of 2022, subject to the conditions

as laid down under Section 437(3) of Cr.P.C.

8. It is made clear that the Trial Court shall accept the bail bond of petitioner on being satisfied that he is not absconding in the cases pending against him, as follows:-

- (i) Chiraiya P.S. Case No. 8 of 2013.
- (ii) Chiraiya P.S. Case No. 99 of 2012.
- (iii) Ghorasahan P.S. Case No. 51 of 2023.
- (iv) Pakridayal P.S. Case No. 178 of 2022.

9. With this direction, the present bail application stands allowed.

(Dr. Anshuman, J)

sadique/-

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