

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44377 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- DUMRA District- Sitamarhi

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1. Monu Kumar, S/o Ram Bali Bhagat @ Ramballi Bhagat Village- Bhasar @ Bhasar Maldi, P.S. Sitamarhi, Dist. Sitamarhi
 2. Rajeev Kumar @ Rajiv Kumar, Son of Jai Mangal Singh Village- Bhagwanpur PS- Bajpatti Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail, who are in custody since 14.04.2024 in connection with Dumra P.S. Case No. 163 of 2024 registered for the offences punishable under Sections 413 and 414/34 of the Indian Penal Code.

3. While the police were on patrolling duty they noticed three persons coming on a motorcycle and when they signalled them to stop, they tried to flee away but on chase they were nabbed. On interrogation, the accused persons disclosed that the motorcycle in question is a stolen property.

4. Learned counsel for the petitioners contended that



the petitioners have no concern with the alleged motorcycle, which is said to have been stolen property. Moreover, there is no case instituted prior to the institution of the present case with regard to the theft of the motorcycle in question and, as such, no case much less under Section 414 of the I.P.C. is made out. It is also contended that the petitioners are absolutely the men of fair antecedent and, as such, the allegation that the petitioners are habitual offenders who engaged in stolen property also falsifies. It is lastly contended that be that as it may, now the investigation of the crime is already complete and the charge-sheet has been submitted, there is no chance of absconding of the petitioner or tampering with the evidence.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that after completion of the investigation, the charge-sheet has been submitted and there is no case in connection with the theft of the motorcycle preceding to the present case, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M.,



Sitamarhi/Competent Jurisdiction in connection with Dumra P.S. Case No. 163 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

- (i) The petitioners will cooperate in conclusion of the trial.
- (ii) They will remain present on each and every date of trial till disposal of the case.
- (iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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