

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48817 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- SIRDALA District- Nawada

Shamsher Paswan Son of Gulab Chandra Paswsan Resident of Vill- Nagwan,
P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma,Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 29-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Sirdalla P.S. Case No. 190 of 2024 for the offences punishable under Section 414 of the IPC, lodged on 19.05.2024 by the informant, Sachchidanand Prasad.

3. As per the prosecution story, during vehicle checking, a motorcycle was intercepted and upon rechecking of chassis and engine, it was found that it was stolen one. Accordingly, the person, who was riding it, got apprehended (the petitioner herein). Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he had taken the motorcycle from his friend to attend an emergency little realizing that the motorcycle is the stolen one, for which, he has already suffered by being in custody since 20.05.2024 (para-9 of the petition).



5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions as also the fact that he is in custody since 20.05.2024 and will be facing the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Mr. Deobrat Kumar, learned Judicial Magistrate 1st Class, Nawada/the concerned court in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(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 his bail bonds.

(Rajiv Roy, J)

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