

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57436 of 2024

Arising Out of PS. Case No.-45 Year-2023 Thana- BITHAN District- Samastipur

Deepak Kumar S/o Kapal Yadav @ Kapil Deb Yadav R/o Village Ward No.
07 Telni P.S Bithan, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2024 Heard Mr.Pramod Kumar Singh, learned counsel for
the petitioner and Mr.Ajit Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bithan P.S Case No. 45 of 2023, FIR dated
24.04.2023, registered for the offences punishable under
Sections 413,414,467,468/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on
24.04.2023 during vehicle checking the informant saw one
person was riding the motorcycle and after seeing the police
party, fled away but police party apprehended him. Motorcycle
was without number plate and on interrogation he disclosed that
the bike was of theft.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case and the name of the petitioner has been transpired during investigation on the basis of the disclosure made by the co-accused person, namely, Dharamvir Kumar and except the disclosure made by the co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one, as mentioned in para-4 of the supplementary affidavit.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Rosera, Samastipur in connection with Bithan P.S Case No. 45 of 2023,, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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