

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51619 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Bipin Kumar Yadav Son of Premchand Rai Resident of Village - Dumariya,
Police Station - Chapra Mufasil, District - Saran.

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 04-12-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Chapra Muffasil P.S. Case No. 90 of 2024 for the offences punishable under Section 379 of the Indian Penal Code, lodged on 17.02.2024 by the informant, Mantu Kumar Yadav.

3. As per the prosecution story, the informant was attending the coaching class when his motorcycle went missing. This led to the F.I.R.

4. Learned counsel for the petitioner submits that only because of his criminal antecedent, implicated. The recovery of the motorcycle is from on Siya Ram Kumar, his name has been dragged in the confessional statement of Siya Ram Kumar, is in custody since 23.04.2024 (paragraph no.11 of the petition) and the last submission is that if granted relief, he shall leave the



district for three months, will go the nearby district and provide all the details of his stay alongwith concerned Police Station where he will putting in his attendance.

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

6. Taking into account the aforesaid facts as also the period of custody and an undertaking has been given that he shall be diligently appearing in trial and leave the district, in that background, this Court is inclined to extend him the privilege of bail with conditions that all the details has to be given at the time of execution of bail bond.

7. Let the petitioner 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 learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 90 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 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 fortnight for next one year to mark his attendance in which three months to the concerned police station where he will stay and after coming back remaining nine months to the concerned police station;

(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 bail bonds.

(Rajiv Roy, J)

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