

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57590 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- SARAI District- Vaishali

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Ravi Kumar @ Dastakiya @ Dashakiya son of Vipin Ray @ Bipin Rai
Resident of Village-Matiyan, P.S. Sarai, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard learned Advocate for the petitioner and
learned Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Sarai P.S. Case No. 65 of 2024, registered for the offences punishable under Sections 379/34 of the Indian Penal Code.

3. Allegedly while the informant was purchasing some goods by parking his splendor plus motorcycle bearing Registration No. BR31AV-3114, he found that some unknown miscreants stolen his motorcycle. On the basis of the CCTV footage, the informant identified the thief as Nehal Kumar. Nearby people also disclosed the name of the petitioner and co-accused Munna Kumar as member of the gang.

4. Learned Advocate for the petitioner contended that



from the narratives of the FIR it is evident that the motorcycle in question was stolen away by Nehal Kumar which fact has also been corroborated from the CCTV footage. On the disclosure made by the local people, the name of the petitioner has been implicated in this case without there being any material. Even if, the allegation is taken to be true, no offence is made out and the crime in question is triable by the Magistrate. Now the petitioner is in custody since 04.05.2024.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner bears two criminal antecedent and the local people disclosed the name of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, the period of custody and the crime in question is triable by the Magistrate, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai P.S. Case No. 65 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as



follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He 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, his bail bonds will liable to be cancelled.

(v) 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 criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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