

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60149 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Vikash Kumar Son of Amarnath Yadav Resident of Village -Madarichak, P.S.
-Makhdumpur, District -Jehanabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Ms. Priti, learned counsel for the petitioner
and Mr. Nand Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Makhdumpur P.S. Case No. 156 of 2024, F.I.R. dated 30.03.2024 registered for the offences punishable under Sections 414 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is of recovery of stolen motorcycle bearing Registration No. BR 01EK 8012 from the door of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that one motorcycle has been recovered near the house of the petitioner and on the basis of suspicion he has been made accused in the



present case. She further submits that the petitioner has no concern with the alleged recovery of motorcycle near the house of the petitioner in question and hence no case is made out under Section 414 of the Indian Penal Code.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and on the basis of suspicion he has been made accused in the present case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Jehanabad in connection with Makhdumpur P.S. Case No. 156 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 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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