

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59783 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Rambali Kumar S/o- Sakal Sahni R/o- Tikahi PS- Hathauri Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-08-2024 Heard Mr. Alok Kumar Alok, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Gaighat P.S. Case No. 245 of 2024 registered for the offence punishable under Section 379 of the Indian Penal Code.

3. Allegedly, while the informant was sleeping in his house after parking his motorcycle bearing registration no. BR06BA0841 on his *Darwaja*, in the meantime, some thieves stolen away his motorcycle.

4. Learned counsel for the petitioner contended that the FIR has been instituted against unknown miscreants. However, subsequent thereto, some of the accused persons



including the petitioner was apprehended in connection with Hathauri P.S. Case No. 169 of 2023 along with the motorcycle in question. Co-accused Md. Shamin @ Altaf has confessed that he has purchased the motorcycle on payment of Rs. 11,000/- even after knowing it to be a stolen property. It is further contended that be that as it may, the offence in question is triable by the Magistrate and now the petitioner is in custody since 16.09.2023. The investigation is complete and the charge-sheet has been submitted.

5. On the other hand, learned counsel for the State vehemently opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the period of custody and the fact that investigation of the crime is complete and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Court No.2, Muzaffarpur East in connection with Gaighat P.S. Case No. 245 of 2024, subject to the condition that one of the bailors will be the close relatives 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.

(Harish Kumar, J)

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