

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62319 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- BARAUNI District- Begusarai

Adarsh Kumar @ Sanny S/O Munna Kumar Singh R/O Village- Keshawe,
P.S- Barauni (Refinery), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-09-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sessions Trial No. 482 of 2024, arising out
of Barauni P.S. Case No. 43 of 2024, registered for the offence
punishable under Sections 413 and 414 of the Indian Penal
Code.

3. The police on a tip of theft of motorcycle
apprehended the petitioner along with a stolen motorcycle.

4. Learned Advocate for the petitioner contended that
with regard to the theft of the motorcycle, in question, the police
has initially instituted Muffasil P.S. Case No. 59 of 2024 under
Section 379 of the Indian Penal Code, thereafter, having shown
the recovery of motorcycle from the possession, the present case
being Barauni P.S. Case No. 43 of 2024 has been registered.



There is total denial of the allegation made in the FIR. Moreover, the petitioner has never been put on Test Identification Parade though, he has been incarcerated in custody since 05.02.2024. The crime, in question, is triable by the Magistrate. Except the criminal antecedent of the petitioner, as has been mentioned in paragraph no. 3 of the bail application, there is no material is the contention of the learned Advocate for the petitioner. Be that as it may, the investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears five criminal antecedent, which speaks loud about his complicity in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that with regard to the same occurrence, two FIR have been instituted. Moreover, crime in question, is triable by the Magistrate and now the petitioner has been incarcerated since 05.02.2024, let the petitioner, named above, 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 Additional Session Judge-IX, Begusarai in connection with Sessions Trial No. 482 of 2024, arising out of Barauni P.S. Case No. 43 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.

(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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