

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64311 of 2024**

Arising Out of PS. Case No.-45 Year-2022 Thana- SINGHESHWAR District- Madhepura

Bipin Kumar @ Bipin Kumar Chauhan son of Sudheshwar Prasad Chauhan  
@ Sudheshwar Chauhan Village- Rupauli Ward No 02 PS- Gamhariya  
District-Madhepura ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Kumari Rashmi, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      01-10-2024                      Heard Ms. Kumari Rashmi, learned counsel for the  
  
petitioner and Mr. Brajendra Nath Pandey, learned Additional  
  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Singheshwar P.S. Case No. 45 of 2022, F.I.R. dated 01.03.2022 for the offences punishable under Section 379 of the Indian Penal Code.

3. According to prosecution case, three unknown miscreants stole the motorcycle of the informant along with Rs. 14,000/- cash which was kept in the dicky of the said motorcycle which was parked on the road in front of JKM Plant.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. She further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not



committed any offences as alleged in the F.I.R. She further submits that the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Ravi Kumar which was recorded in paragraph no. 16 of the case diary and nothing has been recovered from the conscious possession of the petitioner. She further submits that except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the four cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with



Singheshwar P.S. Case No. 45 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

- i. 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.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. 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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