

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72966 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- BAHERA District- Darbhanga

Keshav Singh Son of Lalan Kumar Singh @ Lalan Singh Resident of Village-
Nandapatti, Benipur, Ward No. 26, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bahera
P.S. Case No. 17 of 2024 registered for the offences punishable
under Sections 379, 411 and 413 of the Indian Penal Code.

3. As per prosecution case, the informant's motorcycle
has been stolen away by unknown person.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and during course of
investigation, his name has been surfaced in this case upon the
confessional statement of co-accused Kanhaiya Kumar Jha, as
mentioned in the impugned order. Except confessional statement
of said co-accused Kanhaiya Kumar Jha, there is nothing on
record to connect the present petitioner with the alleged



occurrence. Petitioner is in custody since 30.08.2024 and bears no criminal antecedent. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named 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 Chief Judicial Magistrate, Darbhanga in connection with Bahera P.S. Case No. 17 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.



(iii) 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.

(Alok Kumar Pandey, J)

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