

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76415 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- NOORSARAI District- Nalanda

Kundan Kumar S/O Sri Prasad R/o Village- Khewanbigha, P.S - Noorsarai,
District- Nalanda. Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Noorsarai P.S. Case No. 140 of 2024 instituted for the offence
under Section 379 of the Indian Penal Code (for brevity ‘the
IPC’) and later on Section 411 of the IPC was added.

3. Prosecution case in a nutshell is that some
unknown miscreants have stolen away the motorcycle of the
informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 24-06-2024. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that petitioner is remanded in this case from Nalanda P.S. Case No. 58 of 2024. It is alleged that motorcycle in question is recovered from outside the house of the petitioner. Charge-sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Noorsarai P.S. Case No. 140 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

