

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84584 of 2023**

Arising Out of PS. Case No.-285 Year-2023 Thana- PATRAKARNAGAR District- Patna

ABHISHEK KUMAR SON OF RAJ KUMAR RAJ @ RAJ KUMAR RAY  
@ RAJ KUMAR RESIDENT OF VILLAGE-MEERAGLABIBAGH KI  
BAGH, PS- KHAJEKALAN, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rudal Singh, Adv

For the Opposite Party/s : Mr.Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      10-01-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Patrakar Nagar P.S. Case No. 285 of 2023 registered on  
19.04.2023 lodged under Sections 379 I.P.C.

3. As per the prosecution case, F.I.R. has been lodged  
against two unknown accused persons excluding the petitioner  
against whom the allegation of theft of motorcycle is there.

4. Counsel for the petitioner submits that name of the  
petitioner has been figured in this case by the virtue of  
identification alleged to be made in CCTV Camera footage. He  
further submits that the said motorcycle was alleged to be  
recovered near *kauakhoh Mata Mai Mandir* for which the



acquisition was made by the police against the present petitioner.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 05.07.2023 having three criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail and submits that in CCTV footage, identity of the petitioner has come.

7. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Patna in connection with Patrakar Nagar P.S. Case No. 285 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Dr. Anshuman, J)**

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