

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82733 of 2024

Arising Out of PS. Case No.-369 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

1. Rajesh S/o Late Karan singh R/o Tej Colony Gohana Road, P.s.- Sabjee Mandi, Distt.- rohtak (Haryana)
2. Bittu S/o Baljeet R/o Paramola, Khokhara Kot, P.S. - Sabjee Mandi, Distt.- Rohtak(Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Arvind Kumar, Advocate
	:	Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2024 Heard Mr. N.K. Agrawal, learned Senior Counsel
for the petitioner and learned APP for the State.

2. The petitioners are in judicial custody in connection with Kuchaikote P.S. Case No. 369 of 2024 for the offences punishable under Sections 317(2), 317(4), 317(5) and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 02.09.2024 by the informant, Mithlesh Paswan.

3. As per the prosecution story, during the vehicle checking, one Duster car was intercepted, the Chasis Number/Engine Number found to be blurred and on suspicion, it was taken into custody, which led to the F.I.R.

4. Learned Senior Counsel for the petitioners submits that no such case of theft of the Duster car is on record, it



belongs to one Jitendra of the same colony where the petitioners reside and only because of suspicion, the implication, arrest and they are in custody since 02.09.2024. Further, if granted bail shall be diligently appearing in trial.

5. Learned APP for the State opposes the prayer submitting that they failed to produce the paper when the vehicle was intercepted.

6. Taking into account the submissions put forward by the parties as also the fact that no theft case is on record, both the petitioners do not have criminal antecedent and are in custody since 02.09.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Kuchaikote P.S. Case No. 369 of 2024, subject to the following conditions:

(i) one of the bailor should be the native of State of Bihar of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court failure to do so for two consecutive dates



without plausible reason will entail cancellation of his their
bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned
police station every fortnight for next six months to mark their
attendance;

(iv) the petitioners shall in now way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

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

(Rajiv Roy, J)

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