

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84015 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- TANDWA District- Aurangabad

Dhiraj Kumar @ Dhiraj Kumar Vishwakarma S/O Nand Kishore Mistry @
Nand Kishore Vishwakarma R/O Village- Kandi, P.S- Tandwa, District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Tandwa P.S. Case No. 70 of 2024 for the offences punishable under Sections 411 and 414 of the Indian Penal Code, lodged on 25.06.2024 by the informant, Om Prakash Singh.

3. As per the prosecution story, the police during patrolling intercepted the petitioner with a motorcycle which later was found to be stolen and was taken away from Daltenganj Court Campus and Palamu Town P.S. Case No. 150 of 2023 was registered.

4. Learned counsel for the petitioner submits that for some work he had taken the motorcycle from one Lallu Paswan



little realizing that it is a stolen motorcycle. He has already suffered by being in custody since 04.09.2024 and shall be diligently appearing in trial.

5. Learned APP for the State opposes the prayer submitting that he was found roaming around on stolen motorcycle.

6. Taking into account the aforesaid submissions as also his period of custody, F.I.R. lodged, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Aurangabad in connection with Tandwa P.S. Case No. 70 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



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

(iv) the petitioner shall in no 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 petitioner 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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