

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85005 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- KHAJAULI District- Madhubani

Lalu Kumar Singh @ Dev Chandra Singh Son of Tej Narayan Mahato @ Tej Narayan Singh Resident of Village - Kanhauli Turkaha, P.S. - Khajauli, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari pallavi
Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-12-2024 Heard Ms. Kumari Pallavi, learned counsel for the petitioner and Mr. Satyendra Narayan Singh, learned counsel for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Khajauli P.S. Case No. 53 of 2024 registered for the offence punishable under Section 414 of the Indian Penal Code.

3. The petitioner is said to be involved in theft of the motorcycles. The police on a secret information conducted raid. However, noticing the police party, two persons including the petitioner, who were said to be seated on their respective motorcycles, tried to flee away but the police apprehended the persons and from whose possession stolen motorcycles have



been recovered.

4. Learned counsel for the petitioner contended that the petitioner has nothing to do with the motorcycle in question which is said to have been recovered from his possession. In fact, on the fateful day, he was in the market along with his friend, in the meantime raid was conducted and since the petitioner was standing beside a motorcycle without knowing the fact that it is a stolen property, he was apprehended by the police. Co-accused person, namely, Dilip Kumar Das, who was apprehended by the police along with the stolen motorcycle, has been allowed the privilege of regular bail by this Court in Cr. Misc. No. 48121 of 2024 vide order dated 18.09.2024. It is next contended that there are various other infirmities in search and seizure and witnesses to the seizure are none else but the police personnel. The petitioner has been incarcerated since 31.03.2024. Investigation of the crime is complete and the charge sheet has been submitted.

5. On the other hand, learned counsel for the State vehemently opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the case of the petitioner is based on parity, coupled with the fact that the



investigation is complete and the charge sheet has been submitted, let the petitioner, named above, 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 learned I/C C.J.M., Madhubani in connection with Khajauli P.S. Case No. 53 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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