

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84036 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- BALIA BELON District- Katihar

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1. Ravi Kumar Yadav @ Ravi Kumar Son of Vijay Yadav @ Vijay Kumar Yadav Resident of Village - Kalyan Gaon, P.S. - Telta, District - Katihar
 2. Mukesh Chaudhary @ Mukesh Kumar Chaudhary Son of Baidyanath Chaudhary Resident of Village - Kalyan Gaon, P.S. - Telta, District - Katihar
 3. Gopi Kumar Rai Son of Panchanand Rai Resident of Village - Kalyan Gaon, P.S. - Telta, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024

Heard the parties.

2. The petitioners are in custody in connection with Baliya Belon P.S. Case No. 99 of 2024 for the offence punishable under sections 303(2), 317(5), 3(5) of Bhartiya Nyaya Sanhita, 2023 lodged on 04.09.2024 by the informant, Mukesh Kumar Paswan.

3. As per the prosecution story, the informant alleged that during patrolling, a motorcycle was intercepted and upon strict inquiry, it was found that the motorcycle was stolen, this led the arrest of the petitioners and the FIR.

4. The case of the petitioners is/are that they had taken



the motorcycle from a friend little realizing that it is a stolen one, are students, have no criminal antecedent and remained in custody since 05.09.2024.

5. Learned APP opposes the prayer for bail submitting that all the accused persons were caught along with the stolen motorcycles.

6. Considering the submissions put forward by the parties as also that the petitioners are young, student, have no criminal antecedent, have undertaken to appear in trial, this Court is inclined to extend them the privilege of bail with conditions.

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 Additional Chief Judicial Magistrate-VI, Katihar in connection with Baliya Belon P.S. Case No. 99 of 2024 subject to the following conditions:

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

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for one year to mark their attendance;

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

(Rajiv Roy, J)

Vijay Singh/-

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