

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84627 of 2023

Arising Out of PS. Case No.-619 Year-2023 Thana- BELAGANJ District- Gaya

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Sujeet Kumar, S/O Late Vishun Das R/O Village- Patiyawan Tola
Narayanpur, P.S- Sakurabad In The Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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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
Belaganj P.S. Case No. 619 of 2023, lodged on 14.09.2023
under Sections 414, 420, 467, 468, 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons including the present
petitioner with an allegation that they were using the theft
vehicle in another number.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the petitioner has purchased the said vehicle
from one Raushan Kumar and has no knowledge that the said
motorcycle is subject to theft. Counsel further submits that he
has completed all the formalities for transfer of paper, but the



said motorcycle was intercepted by the police.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 15.09.2023. Counsel also submits that there are two accused in this case and one accused has been granted bail by the co-ordinate bench of this Court passed in Cr. Misc. No. 84321 of 2023 today itself.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner was using the motorcycle which was subject to theft and therefore, ingredients of offence is there.

7. Upon specific query of the Court from the counsel for petitioner that whether charge has been framed in this case or not, counsel submits that as per his knowledge, charge has not been framed in this case.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 619 of 2023, subject to the conditions as



laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(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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