

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.709 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- CHACKMEHSI District- Samastipur

Bharat Nandan @ Bharat Nandan Kumar @ Pampam S/O - Late Bishnu Dev
Ray @ Vishnu Dev Roy R/O - Harpur Mahmada (Mahamda Math Bhuiya
Asthan Toli, Ward No. 04) P.S. Pusha, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Chakmehasi P.S. Case No.179 of 2023, lodged on 21.09.2023,
under Sections 413/414/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged
against eight named accused persons including the present
petitioner. There is allegation that a tempo which was subjected
to theft on which eight persons were sitting including the
petitioner against whom allegation that they were going to sell
the same.

4. Learned counsel for the petitioner submits that the
petitioner is in custody since 21.09.2023 having no criminal



antecedent. He further submits that offence is triable by Magistrate and he has been arrested as one of the passenger.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur, in connection with Chakmehasi P.S. Case No.179 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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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