

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2242 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- SAMASTIPUR District- Samastipur

Chandan Kumar SON OF UMESH SAH RESIDENT OF VILLAGE-
GODHALIA, PS- BISHANPUR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Samastipur (Town) P.S. Case No. 04 of 2023 registered on
06.01.2023 lodged under Sections 379 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons against whom there is an
allegation of theft of motorcycle.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is already in custody in Bishanpur P.S. Case No. 58/2023 lodged
under section 411, 413 of I.P.C. relating to motorcycle subject to
theft but the police has remanded the present petitioner in this
case also. Counsel submits that for one set of theft there were



two criminal cases filed against the petitioner. He submits that in earlier case he is on bail and in the present case, he was remanded on 10.10.2023. Chargesheet has already been filed.

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 *after framing of charge and after framing of charge as well as the trial court on being satisfied with the affidavit to be submitted by the petitioner before the Trial Court indicating therein that he is not absconding in any earlier case* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Samstipur in connection with Samastipur (Town) P.S. Case No. 04 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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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