

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1875 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- VALMIKINAGAR District- West
Champaran

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1. Puran Bahadur Dhale @ Puran Bahadur Ghale Son Of Sun Bahadur Dhale Resident Of Village- Narshi, Police Station- Susta, District- Nawal Parasi (Nepal)
 2. Pratap Singh Son Of Dil Bahadur Gurung Resident Of Village- Narshi, Police Station- Susta, District- Nawal Parasi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with
Valmikinagar P.S. Case No. 112 of 2023, lodged on 08.11.2023,
under Section 414/34 of the I.P.C.

3. As per the prosecution, FIR has been lodged against
two named accused persons. In the FIR allegation has been
made against two accused persons, who are petitioners in the
present case, that during course of check up it was found that
registration paper has not been provided but the registration
which is attached with the vehicle is of tractor with this
allegation that the registration paper shown by the rider of the



motorcycle is forged.

4. Learned counsel for the petitioners submits that petitioner is innocent and has committed no offence. He submits that from the FIR it is true that registration of the motorcycle could not be produced but it cannot be concluded that the said motorcycle was subject to theft. Counsel submits that ingredient of offence under Section 414 IPC is not available. Antecedent of the petitioner is clean. He is in custody since 09.11.2023. Counsel further submits that the offence under which the petitioners were charged is magisterial triable.

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 petitioners, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st, Bagaha, West Champaran, in connection with Valmikinagar P.S. Case No.112/2023, 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 *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 bonds by the Trial Court itself;

(iii) The petitioners 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

(iv) The petitioners 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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