

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11044 of 2024

Arising Out of PS. Case No.-50 Year-2019 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

Kailu Singh @ Prince Kumar @ Pawan Singh S/O Bishundeo Singh R/O
Village- Keshouri, P.S.- Pakribarawan, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Choudhary, Adv.
For the Opposite Party/s : Mr.Anita Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Shekhopur Sarai P.S. Case No.50 of 2019 lodged under Section
392 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against two unknown accused persons against whom
there is allegation that they have looted the motorcycle of the
informant which was in the name of the brother of the brother-
in-law of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that nothing was recovered from the possession of the petitioner



nor he was put on T.I.P.. He submits that his name has figured in this case by virtue of one Santosh Kumar from whose possession, the motorcycle subject to theft, has been recovered and he has disclosed that he has purchased the motorcycle from petitioner.

5. Counsel further submits that petitioner's name has figured in this case only due to the reason that his antecedent is not clean. There are 12 criminal cases pending against the petitioner and he is on bail in all the cases.

6. Counsel for the petitioner submits that petitioner is in custody since 01.04.2023 and charge-sheet has already been submitted in this case. He also submits that the another co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 08.05.2023 passed in Cr. Misc. No. 9776/2023.

7. Learned counsel for the State opposes the prayer for bail and submits that at the time granting bail, antecedent of the petitioner may be taken into consideration.

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, if not framed** 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., Sheikhpura in connection with Shekhopur Sarai P.S. Case No.50 of 2019, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. 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.

9. However, the petitioner shall be granted bail only



on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Pakribarwan P.S. Case No. 124 of 2006.
- ii. Pakribarwan P.S. Case No. 163 of 2011.
- iii. Pakribarwan P.S. Case No. 34 of 2013.
- iv. Tillaiya P.S. Case no. 151 of 2013.
- v. Kodrama P.S. Case No. 222 of 2013.
- vi. Kodrama P.S. Case No. 227 of 2013.
- vii. Kodrama P.S. Case No. 228 of 2013.
- viii. Kadirganj (OP) P.S. Case No. 367 of 2013.
- ix. Pakribarwan P.S. Case No.100 of 2016.
- x. Pakribarwan P.S. Case No. 377 of 2020.
- xi. Pakribarwan P.S. Case No. 379 of 2020.
- xii. Barbigha P.S. Case No. 259 of 2019.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

