

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33908 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- Pastpar Pusthi District- Saharsa

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Raja Kumar S/o Baleshwar Yadav Resident of village- Morkahi, Ward No. 03,
P.S.- Pastpar, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate
For the State : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Pastapur P.S. Case No. 08 of 2025 for the offence under Sections 317(4), 317(5), 336(3) and 340(2) lodged on 13.01.2025 by the informant, Priti Kumari.

3. As per the prosecution story, the informant alleged that in course of vehicle checking, intercepted a motorcycle, those apprehended was Niraj Kumar. He failed to produce any paper and upon check, it was found that the motorcycle belongs to one Ramesh Sah, he was using a stolen motorcycle. Upon further interrogation, he gave the name of this petitioner who have stolen the motorcycle. This led to the F.I.R.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from Niraj Kumar, only to



implicate him, he has been named the petitioner, has no criminal antecedent and is a student.

5. Learned APP opposes the prayer for bail submitting that the person apprehended named him.

6. Considering the submissions of the parties as also that the recovery/seizure is from Niraj Kumar, this petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. However, if it is found that the the petitioner has criminal antecedent, the order shall become infructuous.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Saharsa, in connection with Pastapur P.S. Case No. 08 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 bail bonds.

(Rajiv Roy, J)

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