

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81656 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- RAMPUR District- Gaya

Naitik Raj @ Sunny Kumar Yadav, Son of Dinesh Yadav, Resident of
Mohalla- Chiraiya Tarr, P.S.- Rampur, Dist.- Gaya, Bihar
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rampur P.S. Case No. 147 of 2024 dated 04.04.2024, instituted for the offence punishable under Sections 467, 414, 420, 468, 457, 380/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, after receiving an information that one man became injured in road accident, the informant along with other police personnel reached the spot and found the petitioner in injured condition with motorcycle bearing registration no. 9893 only. One bag (*jhola*) was found on the handle of the motorcycle, in which some coins and cash were kept. The petitioner disclosed the name of the co-accused who fled away



from the spot. It is alleged that the petitioner disclosed that the said coins and cash were stolen from the kharkhura temple and the said motorcycle was also stolen by them on 02.09.2020.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner confessed that the cash and coin were stolen from Kharkhura temple and the seized motorcycle belongs to one Maqbool Alam and the said motorcycle was stolen on 02.09.2020. In this regard, an F.I.R. bearing Civil Lines (Gaya) P.S. Case No. 326 of 2020 was registered. The present case has been lodged with regard to theft of cash and coin from Kharkhura temple amounting to Rs. 4,000/-.Lastly, it has been submitted that the petitioner is in custody since 05.04.2024 having three criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Gaya in connection with Rampur P.S. Case No. 147 of 2024, subject to the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

V. The petitioner shall appear before the Police



Station of his local area in the first week of each
month till the disposal of the present case.

(Khatim Reza, J)

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