

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87762 of 2024

Arising Out of PS. Case No.-399 Year-2024 Thana- NOORSARAI District- Nalanda

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Dhaneshwar Yadav Son of Late Pairu Yadav R/O VILL-MALBIGHA, PS-
NOORSARAI, DIST-NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Noorsarai P.S. Case No. 399 of 2024 for the offence punishable under sections 317(5), 318, 336(3), 340(2) and 3(5) of the Bharatiya Nyaya Sanhita lodged on 05.09.2024 by the informant, Ramjeet Prasad.

3. As per the prosecution story, on secret information about the presence of stolen motorcycle outside the house of the petitioner, it was checked and having found the information correct and as the petitioner failed to provide the original document, arrested, the FIR.

4. Learned counsel for the petitioner submits that the motorcycle was parked outside the house, he is an aged person of seventy six years had no knowledge about the stolen vehicle



and has already suffered by being in custody since 06.09.2024.

5. Learned APP opposes the prayer for bail submitting that as per the learned Sessions Judge order, the chasis number/registration number was changed.

6. Having gone through the facts of the case as also that the petitioner is an aged person, is in custody since 06.09.2024, FIR lodged, will be facing the trial and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. Ist Class, Bihar Sharif, Nalanda, in connection with Noorsarai P.S. Case No. 399 of 2024 subject to 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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