

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.402 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- LAURIA District- West Champaran

Murari Prasad S/o Late Tulsi Sah R/o Village- Amethiya, P.S.- Yogapatti,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Sanjeev Kumar Shrivastava, learned
counsel for the petitioner and Mr. Sanjay Kumar Tiwary, learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
13.09.2024, in connection with Lauriya P.S. Case No. 309 of
2024, F.I.R. dated 13.09.2024 registered for the offences
punishable under Sections 303(2), 317(4), 317(5), 338, 336(3),
340(2), 3(5) of B.N.S. Act.

3. Allegation against the petitioner is that he along
with other persons buying stolen motorcycle and sold part by
part and on searching by police several parts of several
motorcycles were recovered from the shop of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that as per allegation in the F.I.R. that the petitioner along other co-accused persons buying stolen motorcycle and sold part by part and the petitioner is the owner of the *kabari* shop and the recovery has been made from the shop of the petitioner. He further submits that co-accused person disclosed that he had sold the stolen motorcycle to the petitioner. He further submits that some part of the motorcycle has been recovered from the shop of the petitioner and the same was not put on test identification parade as yet and after institution of the present case the petitioner has been remanded in another eight cases. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.09.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 309 of 2024, subject to



the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

