

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89640 of 2024

Arising Out of PS. Case No.-83 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Mohan Thakur Son of Baldev Thakur Resident of Village- Bhutane, P.S.-
Bochahan, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sagar Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner seeks regular bail in connection with

Muzaffarpur Sadar P.S. Case No. 83 of 2020 registered for the

offence punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, it is alleged that while the

informant was going from his Pick-up Van after loading 17

Fridges of Haier company, in the meantime four unknown

persons came on two motorcycle intercepted and started

assaulting him. It is further alleged that accused persons tied his

hand and legs and kept him in a lonely place and thereafter fled

away with the Pick-up Van. Later on the Pick-up Van was found

on the basis of GPS, however, the looted Fridges were found



stolen by the miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that the petitioner is the father of co-accused. He submits that the similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 60451 of 2022. He submits that the petitioner has two criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 19.09.2024.

5. On the other hand, learned counsel for the State vehemently opposes the bail application and submits that stolen articles have been recovered from the house of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the similarly situated co-accused has already been granted bail, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Muzaffarpur Sadar P.S. Case No. 83 of 2020, subject to the conditions that:

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii)He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Anjani Kumar Sharan, J)

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