

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8239 of 2018

Arising Out of PS.Case No. -16 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

Ajay Kumar son of late Manai Mahto, Resident of Village-Fulwariya, P.S.-
Sugauli, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Anita Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-03-2018

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in Sugauli P.S.
Case No. 16 of 2017 of instituted for the offence under Section(s)
414 of the Indian Penal Code.

It is alleged by the informant that one black colour
Motorcycle (Passion-Pro) having Registration No. BR-22R-1745
was stolen by unknown persons. The informant along with other
constables came at Bansapti Asthan and started checking the
Motorcycle. One Person on black colour Motorcycle came from
Mahauliya at about 5.15 P.M. and after seeing the police party,
tried to run away. The Police party caught him. The apprehended
person told his name as Hariom Mishra. He states before the
police that he indulge in stealing of motorcycle along with Nitesh



@ Nanki and Ajay Kumar (petitioner). He could not produce the valid paper of aforesaid motorcycle.

Learned counsel for the petitioner submits that accused Nitesh @ Nitesh Kumar with similar allegation has already been granted anticipatory bail by this Court in Cr. Misc. No. 29857 of 2017.

From perusal of F.I.R., it is clear that the petitioner has been made accused in this case on the basis of confessional statement given by co-accused, who was apprehended by the police.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sugauli P.S. Case No. 16 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Motihari** subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the



court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

shakir/-

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

