

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.313 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Abhiranjan Kumar @ Bittu Male, aged about 22 years s/o Ashok Kumar Ray,
r/o Village Balua, PS Sakra, District Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Mr.Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 07-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 379 of the Indian Penal Code.

Informant in his written complaint has alleged that on
30.04.2018 at about 12:00 pm, he parked his Hero Honda
Motorcycle bearing registration no. BR-3H-9780 in the Karpuri
Gram Railway Compound and went to reservation counter and
when he returned after some time, his bike was missing. FIR is
against unknown.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. Petitioner is not named in the FIR. No incriminating material has been recovered from the possession of the petitioner. Petitioner has not been put on TIP till date. Petitioner is in custody since 09.08.2018.

Considering the aforesaid facts and circumstances of the case and the fact that petitioner is involved in similar nature of cases, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner named above be released on bail **if charge has been framed and if charge has not been framed, he will be released after framing of charge**, upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Samastipur Rail P.S. Case No. 61 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the 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.

(S. Kumar, J)

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