

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16419 of 2019

Arising Out of P.S. Case No.-319 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

ANKIT KUMAR, aged about 20 years, Male, Son of Rabindra Prasad Resident of Village- Lakhipur, P.S.- Shalimpur, District- Patna, at present renter in the house of Mukta Muni at Sad Bhawana Nagar, P.S.- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 21.08.2018 in connection with Ram Krishna Nagar P.S.Case No.319 of 2018 for the offence alleged under Sections 379, 411, 414, 401, 403, 413, 467, 468 and 406/34 of the Indian Penal Code.

The prosecution case as lodged by the informant police personnel is that on secret information that in the house of one Mukta Muni large number of stolen motorcycles have been concealed, the police conducted a raid and found three motorcycles parked in the premises and was disclosed by the landlord Mukta Muni that three persons including the petitioner



had taken some rooms on rent and the motorcycle belonged to them. One Bolero vehicle was also owned by the said petitioner and two co-accused but one of the co-accused was not present at the place and the petitioner and co-accused Om Kumar were apprehended from their room and on search some machines and pliers were recovered from the rented room of the petitioner and the other co-accused who did not show any documents and papers relating to ownership of the said vehicles.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent although after the present case, he has been made accused in one more case being Patrakar Nagar P.S.Case No.449 of 2018 in which he is on bail. He further submits that nothing has been recovered from the conscious possession of the petitioner and due to highhandedness of the police, the petitioner's signatures have been obtained on blank papers. He further submits that one of the co-accused apprehended along with the petitioner has since been granted the privilege of bail by a coordinate Bench of this Court in Cr.Misc.No.1028 of 2019 dated 25.01.2019. He further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence.



However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, 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 in connection with Ram Krishna Nagar P.S.Case No.319 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Patna, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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