

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54386 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- KOTHIGRAM District- Gaya

SUNIL SAW @ SUNIL KUMAR GUPTA Son of Late Chaturi Saw @ Chatri Prasad Gupta Resident of Village- Sobdi (Sobri), P.S.- Kothi, District- Gaya.
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kothi P.S. Case No. 19 of 2019 for the offence punishable under Section 414/34 of the Indian Penal Code.

The petitioner has no criminal antecedent, as stated in paragraph 3 of the application. Allegedly, the police had apprehended co-accused Gautam Kumar and Pankaj Kumar in connection with Kothi P.S. Case No. 18 of 2019 and they are said to have disclosed of having looted so many motorcycles/two wheelers. Based on confession of the said accused persons, a raid was conducted in the house of co-accused Chaturi Saw, leading to alleged recovery of two motorcycles and two Luna motorcycles. The petitioner is son of Chaturi Sao. The petitioner has been implicated accordingly.

Learned counsel, appearing on behalf of the



petitioner, has submitted that the petitioner and his father have been implicated at the behest of co-accused Gautam Kumar and Pankaj Kumar because of old rivalry. It has further been submitted that out of the four motorcycles, said to have been recovered from the house of the petitioner's father, two belongs to the petitioner's brother. It has also been submitted that one Hero Splendor Motorcycle has been released by the Court below in favour of the petitioner's brother.

Considering the above noted facts and the fact that the petitioner has no criminal antecedent, as stated in paragraph 3 of the application, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati (Gaya), in Kothi P.S. Case No. 19 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail



bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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