

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54645 of 2019**

Arising Out of PS. Case No.-112 Year-2019 Thana- GAYA MUFASIL District- Gaya

SINTU KUMAR @ SINTU SHARMA, Son of Naresh Sharma, Resident of
Mohalla- Mali Gali, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 16-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Mofassil P.S. Case No. 112 of 2019, disclosing the offences
under Sections 467, 468, 471 and 420 of the Indian Penal Code.

In course of checking of vehicles being conducted by
the Police, a car was stopped for the said purpose, from which,
three persons disembarked and started fleeing away, as alleged
in the First Information Report. Two of them were apprehended,
whereas one managed to flee away.

From the persons named in the First Information Report
who were apprehended, certain articles in the nature of an ATM
Card and ATM Card Writer machine were recovered. They are
said to have disclosed the petitioner's name as the 3rd person



who was there in the car and had managed to flee away.

Learned counsel appearing on behalf of the petitioner has submitted that the said two persons who were arrested by the police and on whose statement the petitioner has been implicated, have been allowed regular bail by this Court, by orders dated 5.7.2019 passed in Cr. Misc. No. 40911 of 2019 and on 15.5.2019 passed in Cr. Misc. 32309 of 2019. He contends that in any event, mere presence of the petitioner in the car itself cannot be said to be constituting an offence.

Be that as it may, considering the case that the two persons have been allowed regular bail by this case, 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 bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Gaya**, in connection with **Mofassil P.S. Case No. 112 of 2019**, subject to the condition 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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