

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57887 of 2019**

Arising Out of PS. Case No.-110 Year-2019 Thana- KHAGAUL District-
Patna

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SANNI KUMAR @ ASHUTOSH @ ASHUTOSH KUMAR @ SUNNY KUMAR
Son of Deelip Prasad @ Deelip Ram Resident of Village - Nawratanpur,
P.S.- Khagaul, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Yadav, Advocate.

For the Opposite Party: Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 379 of the Indian Penal Code registered in
connection with Khagaul P.S. Case No. 110 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in connection with theft of motorcycle. The F.I.R. is
against unknown persons and the petitioner's name has
transpired on the extra judicial confessional statement of co-
accused Sudama Singh, except which there is no objective
material to connect the petitioner with the alleged occurrence.
The stolen motorcycle has been recovered from the possession of
the said co-accused Sudama Singh and no incriminating articles
has been recovered from the conscious possession of the
petitioner who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-5th/Successor Court, Danapur, Patna in connection with Khagaul P.S. Case No. 110 of 2019 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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