

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10473 of 2020

Arising Out of PS. Case No.-227 Year-2018 Thana- AMARPUR District- Banka

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Balmiki Kumar Tanti @ Balmiki Tanti @ Chhotu, aged about 30 years
(Male), Son of Umesh Tanti @ Mahesh @ Bibhash Resident of Village-
Sahebganj Bind Toli, P.S.-University, Bhagalpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

For the Opposite Party/s : Ms. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with S.T. No. 315 of 2018 corresponding to Amarpur
P.S. Case No. 227 of 2018 registered for offences under sections
379, 411, 413, 401/34, 414 of the Indian Penal Code.

In the present case, the petitioner has been arrested
along with the theft motorcycle and he has also given the details
of his associates. He always used to change his name and
address and, at his instance, the stolen motorcycle has been
recovered from the hostel situated at Bhagalpur.

Learned counsel for the petitioner submits that the
petitioner is in judicial custody since 3.5.2018 having no
criminal antecedent.



Looking to the period of custody as also the petitioner having no criminal antecedent, let the petitioner, above named, 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 learned Additional Sessions Judge-1, Banka in connection with S.T. No. 315 of 2018 (corresponding to Amarpur P.S. Case No. 227 of 2018), subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Amarpur police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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