

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29562 of 2021**

Arising Out of PS. Case No.-36 Year-2020 Thana- NAVINAGAR District- Aurangabad

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SUNIL KUMAR @ SUNIL KUMAR SINGH Son of Late Ramnaresh Singh
Resident of Village - Dashawat Bigha, P.S. Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 23-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Nabinagar P.S. Case No. 36 of 2020 registered for the offence under Sections 392, 395 and 412 of the Indian Penal Code.

Two unknown persons are said to have snatched the motorcycle of the informant.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact,



the petitioner has not been named in the F.I.R. No incriminating article has been recovered from the conscious possession of the petitioner rather the alleged motorcycle has been recovered from the possession of the co-accused, Raj Kumar. Moreover, the co-accused, namely, Nikhil Kumar @ Prince Kumar and Mr. Raj Kumar Singh, having more or less similar allegation, have already been granted bail by a co-ordinate Bench of this Court vide order dated 02.11.2020 and 03.12.2020 passed in Cr. Misc. No. 27905 of 2020 and Cr. Misc. No. 25135 of 2020, respectively. The petitioner is rotting in judicial custody since 12.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 A.C.J.M.-I, Aurangabad in connection with Nabinagar P.S. Case No. 36 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the



Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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