

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9205 of 2021

Arising Out of PS. Case No.-343 Year-2020 Thana- NAUTAN District- West Champaran

Anuj Kumar Son Of Harihar Yadav R/O Vill.- Nawarahi, P.S.- Nautan, Dist.-
West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Nautan Police
Station Case No. 343 of 2020 registered for the offence punishable
under Section 413, 414 of the Indian Penal Code.

Allegation against the petitioner is that on seeing the
informant while vehicle checking the petitioner tried to fled away by
throwing the motorcycle but caught apprehended by informant and
on demand he was unable to show documents of the the said vehicle.

It is submitted by learned counsel for the petitioner that
petitioner has falsely been implicated in this case and has not



committed any offence as alleged in the FIR. No incriminating article has been recovered from his conscious physical possession. He submits that while petitioner was returning from Mangalpur Bazar, he was apprehended by the informant only on suspicion. He further submits that village enemies of the petitioner in collusion with the informant has implicated the petitioner in this case with false and fabricated allegation. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in paragraph 3 of the bail petition and has been languishing in custody since 07.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Nautan P.S. Case No. 343 of 2020, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and



thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

GAURAV S./-

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