

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9156 of 2021

Arising Out of PS. Case No.-30 Year-2020 Thana- DANAPUR District- Patna

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AMAN KUMAR SON OF SRI RAMESH SHARMA R/O VILLAGE-
PURANI CITY COURT PATNA CITY, P.S.- ALAMGANJ, DISTRICT-
PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anil Kumar, Adv.
For the Opposite Party/s	:	Mr.Shailendra Kumar, APP
For the Informant	:	Mr.R.N. Tiwari, Adv.
		Mr.Navin Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-09-2021 Heard learned counsels appearing for the parties.

The petitioner seeks bail in connection with Danapur P.S.
Case No.30 of 2020 registered for the offence punishable under
Sections 363 and 365 of the IPC and section 302, 201, 120(B)
read with section 34 IPC has been added.

The prosecution case is that brother of the informant went
to Saguna by bike after a call but after some time his mobile
phone went off and since then he was missing with his bike.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No offence as alleged has ever taken



place. He has been falsely implicated in this case by the police. Petitioner is not named in the FIR and on the confessional statement of co-accused he has been made accused in this case. Nothing has been recovered from his possession and no T.I. Parade has been conducted by the concerned police. There is not a single material available in this case against the petitioner. The petitioner has four criminal antecedent, as mentioned in para-3 of the bail application and has been languishing in custody since 25.08.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail 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 A.C.J.M.-Dananpur, Patna in connection with Danapur P.S. Case No.30 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 case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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