

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8849 of 2022

Arising Out of PS. Case No.-477 Year-2021 Thana- SAKRA District- Muzaffarpur

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Bittu Kumar, aged about 21 years, Male Son of Bindeshwar Singh Resident of village- Madhusudanpur Math, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Sakra P.S.

Case No. 477 of 2021 registered for the offence punishable
under Sections 413, 414/34 of the Indian Penal Code and
Sections 25(1-B) (a), 26 and 35 of the Arms Act.

The allegation against the accused-petitioner is to be

in possession of stolen motorcycle.

The accused petitioner is named in the FIR and in

custody since 26.09.2021.

Learned counsel appearing on behalf of the accused/
petitioner submitted that as the accused petitioner ran away on
arrival of the police party and so merely on the basis of
suspicion he has been made accused in the present case.



It has further been submitted that chargesheet has already been submitted in the matter and as such there is no chances of tampering with the evidence. As far criminal antecedent of the accused/petitioner is concerned, it has been submitted that the involvement has been made after arresting in the present case.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that nothing has been recovered from the physical conscious possession of accused petitioner.

Considering the facts and submissions as made above as accusation is appearing *prima facie*, merely on the basis of suspicion, coupled with the fact that the chargesheet has already been submitted and as such there is no chances of tampering with the evidence, let the petitioner, above named, is directed to be released on bail in connection with Sakra P.S. Case No. 477 of 2021 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 12th Muzaffarpur subject to the following condition:-

“(i) That accused petitioner shall not involve in the similar nature of offence during the pendency of trial, if found



so, the State shall be at liberty to move before the trial Court
itself for cancellation of bail of the petitioner.

(ii) That one of bailors shall be the close relative of
the accused petitioner like father/mother/sister/brother”.

(Chandra Shekhar Jha, J)

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