

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13502 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- RAFIGANJ District- Aurangabad

SUNIL KUMAR Son of Upendra Sharma @ Upendra Mistri Resident of
Village - Kaikhap, P.s.- Rafiganj, Distt.- Aurangabad. (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Leelawati Kumari

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Sections 413, 414 of the Indian

Penal Code.

Allegedly, a motorcycle was recovered from the

possession of the petitioner, the same was suspected to be

stolen.

The main submissions advanced by the learned

counsel for the petitioner are that petitioner is a carpenter by

profession and in fact, he purchased the said motorcycle by

giving consideration amount of Rs 13,000/- to the seller,



petitioner has been languishing in jail since 12.1.2022 having clean antecedent.

Learned APP opposes the prayer for bail.

Having considered the above submissions mainly clean antecedent as mentioned in his petition and petitioner's custody period, in my view, a lenient approach may be taken in respect of the petitioner, let the 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 the Addl. Chief Judicial Magistrate II, Aurangabad in Rafiganj P.S Case No. 13 of 2022 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.



The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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