

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19292 of 2022

Arising Out of PS. Case No.-165 Year-2021 Thana- TILAUTHU District- Rohtas

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Amit Kumar @ Chandan Son Of Ramdev Choudhary Resident Of Village-
Hariharganj, Ward No. 10, P.S.- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Tilauthu P.S. Case No. 165 of 2021, registered for the

offence punishable under Section 392 of the Indian Penal

Code.

As per allegation, four unknown persons snatched

the motorcycle of the informant, namely, Sandip Kumar,

near Radha Sant College, when he was returning from

Bhabhua.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in



this case. He also submits that he is not named in the F.I.R. and he was arrested in other case bearing Nasriganj P.S. Case No. 155 of 2021. He further submits that he has been remanded in this case only on the basis of alleged confessional statement before the police, which has no legal sanctity. He further submits that except confessional statement, there is nothing against the petitioner.

The petitioner has been languishing in jail since 06.10.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in Nasriganj P.S. Case No. 155 of 2021.

However, the learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstances, particularly the period of custody, the petitioner, above-named, is directed to be released on bail on his furnishing



bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., Dehri-on-Sone, Rohtas or any transferee Court in connection with Tilauthu P.S. Case No. 165 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting



satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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