

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20301 of 2022**

Arising Out of PS. Case No.-56 Year-2021 Thana- BATH District- Bhagalpur

ANISH KUMAR @ ANISH KUMAR SINGH SON OF GOPAL SINGH @
GOPAL SHANKAR SINGH R/O VILLAGE- KODANDA, P.S.-
SHAHKUND, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 01-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bath
P.S. Case No. 56 of 2021 registered for the offences punishable
under Section 392 of the I.P.C.

As per prosecution case, the informant was going
to his house on his Honda motorcycle then three persons on a
Bullet motorcycle overtook and snatched the informant's
motorcycle. It is stated by the villager that the rider of the Bullet
motorcycle was present petitioner and others who fled away
from the place of occurrence.



Learned counsel for the petitioner submits that petitioner is in custody since 01.11.2021 and bears criminal antecedent of two cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that police did not recovered the said snatched motorcycle from the conscious possession of the petitioner. The petitioner has not put on T.I.P. till date.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-13th, Bhagalpur connection with Bath P.S. Case No. 56 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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