

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22653 of 2022**

Arising Out of PS. Case No.-119 Year-2021 Thana- KAKO District- Jehanabad

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SUJEET KUMAR SON OF RAMADHIN YADAV RESIDENT OF
VILLAGE -SHOWA BIGHA, PS - KHODAGANJ, DIST- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Binod Kumar

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

2 13-07-2022 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 Kako
P.S. Case No. 119 of 2021 registered for the offences punishable
under Sections 379, 411/34 of the Indian Penal Code.

As per prosecution case, the motorcycle of the
informant was stolen from near his house in the night of
03.08.2021. The FIR has been registered against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and during course of
investigation his name transpired in this case in his own
confessional statement. Petitioner is in custody since 05.08.2021



and bears criminal history of one case of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. He further submits that motorcycle in question was purchased by the petitioner from co-accused Rudal Choudhary after paying an amount of Rs. 10,000/-

The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting that motorcycle in question was recovered from possession of the petitioner who stated in his confessional statement that he purchased the said motorcycle from co-accused Rudal Choudhary.

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 the 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, Jehanabad in connection with Kako P.S. Case No. 119 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 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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