

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23331 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Ganesh Kumar Son Of Sanjib Saw @ Sanjeev Ram R/O Village- Garsanda,
P.S.- Ramgarh Chowk, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-08-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Pankaj Kumar Sinha, learned counsel for the petitioner as well as Mr. Syed Mojibur Rahman, learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Sheikhpura (Sirari O.P.) P. S. Case No. 81 of 2022 registered for the offences punishable under Sections 379 and 414 of the Indian Penal Code.

In a nutshell, the prosecution case is that the police, on a secret information, apprehended co-accused Santosh Kumar and on his confession one stolen motorcycle was



recovered from the possession of this petitioner.

Learned counsel appearing on behalf of the petitioner submitted that in fact, the motorcycle was handed over to the petitioner by accused Santosh Kumar without informing him that the said motorcycle was either stolen or of any person rather he was asked to keep the motorcycle only for certain period. It is further submitted that the co-accused Santosh Kumar, on whose confession the recovery has been made, has already been granted bail by learned co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 20500 of 2022 vide order dated 10.08.2022. It is lastly submitted that this petitioner is in custody since 03.03.2022, having fair antecedent and moreover, the investigation of the crime is already completed and the charge sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the recovery has been made from the possession of this petitioner.

Having considered the submissions made on behalf of the parties and taking into account the period of custody as also the fact that the other co-accused person, on whose confession the recovery has been made, has already been granted bail by learned co-ordinate Bench of this Hon'ble Court,



let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Sirari O.P.) P. S. Case No. 81 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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