

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24163 of 2022**

Arising Out of PS. Case No.-79 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

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AVINASH KUMAR Son of Ramu Prasad Resident of Village - Purenderpur,  
P.s.- Ekangersarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Md. Ataur Rahman

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

2      22-06-2022                      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 Laheri  
  
P.S. Case No. 79 of 2022 registered for the offences punishable  
  
under Sections 399, 402, 414 of the IPC and Sections 25(1-b)a,  
  
26 and 35 of the Arms Act.

As per seizure list, one Pulsar motorcycle was  
  
recovered from the house of present petitioner.

Learned counsel for the petitioner submits that  
  
petitioner is in custody since 14.02.2022 and bears criminal  
  
history of two cases of similar nature. He further submits that  
  
one co-accused Ravi Shankar Kumar was earlier tenant of



petitioner and had taken room on rent and the petitioner bought the motorcycle in question from the co-accused Ravi Shankar Kumar for consideration of Rs. 30,000/- out of which Rs. 10,000/- was paid immediately. Agreement to this regard has already been on record as Annexure-2 to this application. Charge sheet has been submitted in the case and there is no likelihood of tampering the prosecution evidence.

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

Considering the facts and circumstances of the case as well as period of custody 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-V, Biharsharif in connection with Laheri P.S. Case No. 79 of 2022, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who 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.

**(Alok Kumar Pandey, J)**

shahzad/-

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