

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33383 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- SANJHOLI District- Rohtas

Vikash Kumar S/o Late Satyendra Singh R/o village and P.O.- Dharupur, P.S.-
Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate.
For the Opposite Party/s : Mr. Sucheta Yadav, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Sanjhauli P.S. Case No. 117 of 2021 lodged under Section
379/411 of the Indian Penal Code.

As per the prosecution case, the informant parked his
motorcycle at about 4.45 p.m. on 03.11.2021 beside Shukla
Hospital and went to purchase articles on the occasion of Diwali
Festival. When he returned then observed that two persons were
sitting on his motorcycle, the informant raised alarm, then upon
hearing local shop-keepers and informant caught both the
persons. The apprehended persons have disclosed their name in

which petitioner was one of them, then both the apprehended persons were handed over to the police party and this case has been lodged.

Learned counsel for the petitioner submits that from the F.I.R. itself it transpires that theft has not been completed. Petitioner is in custody since 04.11.2021 having one criminal case pending against him in which he is on bail and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that petitioner was caught raid handed from the place of occurrence.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted 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 A.C.J.M.-I, Bikramganj, Rohtas in connection with Sanjhauli P.S. Case No. 117 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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