

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48051 of 2021

Arising Out of PS. Case No.-199 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

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AMAN KUMAR SINGH Son of Anil Kumar Singh @ Anil Singh Resident of
Village - Avarhiya, P.S.- Durgawati, District - Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-03-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 30.05.2021, seeks
regular bail in connection with Mohaniya P.S. Case No. 199 of
2021 dated 29.05.2021 registered for offences punishable under
Sections 399, 402, 414/34 of the Indian Penal Code and Section
25(i-b)a, 26, 35 of the Arms Act.

Prosecution story in brief is that upon a secret
confidential information, a raid was conducted by the police
team of Mohania P.S. and five miscreants were apprehended
while they were trying to flee away from the place of
occurrence. Allegation against the petitioner is that one live



cartridge and one stolen motorcycle bearing Chassis No. MD2A11CY3JRB47311 were recovered from his possession.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to grudge. There is no eye witness of the alleged occurrence. Petitioner has developed this case by annexing certain sale documents that the said motorcycle bearing Registration No. JH01BC 1088 was purchased. He is in custody since 30.05.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the the period of custody and the nature of allegation, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua (Kaimur) in connection with Mohaniya P.S. Case No. 199 of 2021 subject to the condition that the Court below will verify the genuineness of the annexure-2 at page 21 with respect to the certificate of Registration of the motorcycle bearing Registration No. JH01DC1088 which was registered on



18.09.2018 as well as the affidavit regarding sale of the said motorcycle to the father of the petitioner namely, Anil Kumar Singh by the seller Anil Kumar Gope and the father of the petitioner is also required to produce the no requisite form from the DTO office from where it has been registered in the State of Jharkhand. The other conditions are as follows:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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