

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50203 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- SINGHIYA District- Samastipur

Amit Kumar Singh @ Baiju Singh S/O Heera Singh @ Hira Singh R/O
Village-Singhia Ward No. 3, Police Station-Singhia, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 379, 411, 414 of the Indian Penal Code.

According to prosecution case, the informant namely, Subodh Kumar at present posted S.I. Singhia police station on 20.06.2021 got informant that a Splender motorcycle without number plate was being stood on Kalai Chauk which was informed to be a stolen motorcycle used by Amit Kumar Singh @ Baiju, upon information the police party has reached the occurrence place after seen the police party one person went out



on his motorcycle, then the police party has chased and apprehended the accused person and disclosed his name Ami Kumar Singh @ Bajju.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that the allegation against the petitioner that he used the stolen motorcycle. He further submits that in fact the petitioner had purchased the motorcycle from one co-accused namely, Vikash Kumar. He further submits that the owner of the motorcycle in question was instituted a case bearing Hasanpur P.S. Case No. 100 of 2021 for offence under Section 379 of the Indian Penal Code and the petitioner was made an accused in that case. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that petitioner carries seven criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Singhia P.S. Case No. 94 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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