

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42039 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- SUGAULI District- East Champaran

ANIL KUMAR, Son of Prabhu Prasad, Resident of Village - Jamunia Math,
P.S.- Jagdishpur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh,APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Sugauli P.S. Case No. 14 of 2022 registered for
the alleged offences under Section 397 of the Indian Penal
Code.

As per prosecution case, the tractor of the informant
was robbed by the petitioner and other co-accused persons who
tied the driver of the informant and fled away with the tractor.

Learned counsel for the petitioner submits that the
informant has named his driver and one other person in the
F.I.R. who might have stolen his tractor. The petitioner has been

named in this case on the basis of confessional statement of co-accused Pradeep Ram but nothing incriminating has been recovered from the conscious possession of this petitioner. The tractor has been recovered and it was not at the instance of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 12.04.2022.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is having criminal history and he is accused in a number of such cases of similar nature.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, E. Champaran in connection with Sugauli P.S. Case No. 14 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) The bail bond of the petitioner will

be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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