

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41628 of 2022

Arising Out of PS. Case No.-170 Year-2022 Thana- ARWAL District- Jehanabad

SAHENDRA KUMAR Son of Baidhnath Mistri @ Baijnath Sharma Resident
of village- Khairadih, P.S- Kinjar, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-11-2022 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 Arwal
P.S. Case No. 170/2022 registered for the offences punishable
under Sections 379, 414 and 420 of the Indian Penal Code.

As per prosecution case, the stolen bullet motorcycle
has been recovered from the possession of the petitioner and he
could not produce the valid paper.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case and he has no concern with the motorcycle in question. The
petitioner is languishing in custody since 14.04.2022 and bears



no criminal antecedent. He further submits that cognizance has been taken against the petitioner on 22.06.2022. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 170/2022, subject to following conditions:-

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



without appropriate permission, 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)

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