

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47434 of 2022**

Arising Out of PS. Case No.-55 Year-2022 Thana- KOTWA District- East Champaran

Sunny Kumar Son of Vinod Prasad Resident of Village - Chintaman Pur, P.S.-
Pipra, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr.
Akshay Lal Pandit, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Kotwa P.S. Case No. 55 of 2022 registered for
the offences punishable under Section 379 of the Indian Penal
Code. He is in custody since 11.04.2022. The petitioner has got
three criminal antecedents.

Learned counsel for the petitioner submits that as per
the prosecution story, on 21.02.2022 the informant parked his
vehicle near Dipau Petrol Pump and went to attend natural call
and when he returned he did not find his vehicle there.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 11.04.2022.

Mr. Akshay Lal Pandit, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and the custody of the petitioner over eight months by now, there being no submission on behalf of the State that his release is otherwise likely to result in tampering with the evidence or interfering with the course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Kotwa P.S. Case No. 55 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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