

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48321 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- PATORI District- Samastipur

ANKIT KUMAR Son of Late Laxmi Rai Resident of Village - Sheikhpura
Kamti, P.S.- Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-11-2022 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
Shahpur Patori P.S. Case No. 138 of 2022 registered for the
offences punishable under Sections 394 and 411 of the Indian
Penal Code.

As per prosecution case, the informant was going
to his hospital at Patori on scooty then in the way two unknown
miscreants have stopped his scooty and pointed pistol to him. It
is alleged that they have taken away his scooty and mobile
phone and also threatened to kill him. It is further alleged that
they have also snatched Rs. 500/- from his pocket and ATM card



of Paytm payment bank.

Learned counsel for the petitioner submits that petitioner is in custody since 11.05.2022 and bears criminal antecedent of one case in which he is on bail. He further submits that name of present petitioner has been transpired in the present case upon the disclosure made by spy. He further submits that looted mobile bearing IMEI number 357196298291390 and 356770918291392 did not tally with the IMEI number i.e. 359770918291392 and 357196298291399 of the mobile which has been recovered from possession of the petitioner. He further submits that nothing has been recovered from his possession. No TIP has been conducted uptill now.

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, nothing has been recovered from his possession as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Samastipur in connection



with Shahpur Patori P.S. Case No. 138 of 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)

vashudha/-

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