

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49918 of 2022

Arising Out of PS. Case No.-380 Year-2022 Thana- BIHAR District- Nalanda

Kanhaiya Sharma Son Of Late Vijay Sharma R/O Village- Dayanagar
Noorsarai, P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Bihar P.S. Case No. 380 of 2022 registered for the offence punishable under Sections 379, 413, 34 of the Indian Penal Code.

As per prosecution case, the allegation against the petitioner is that he was sitting on the stolen motorcycle and is also involved in stealing of the motorcycle.

Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner and he has been falsely made accused in this case



due to his criminal antecedent. Petitioner is in custody since 27.05.2022.

Learned APP for the State has opposed the prayer for regular bail for the petitioner and submitted that petitioner has criminal antecedent.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 380 of 2022, 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 witness, in that case the prosecution will be at liberty to move for cancellation of bail.

3. That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(Sunil Dutta Mishra, J)

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