

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52161 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- BIKRAM District- Patna

1. Gajendra Kumar, S/O Sri Niwas Vishwakarma R/O Village- Bishambharpur, Datiana, P.S.- Bikram, District- Patna
2. Himanshu Kumar, S/O Bindu Bhushan Dwivedi @ Bindu Dwivedi R/O Village- Bishambharpur, Datiana, P.S.- Bikram, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he had gone to attend the function and had parked his motorcycle outside the house and when in the night, he came out of the house, his motorcycle was missing.

The learned counsel for the petitioners submits that the F.I.R. was against unknown. It is next submitted that the said



motorcycle was recovered from one Kundan Kumar, who disclosed the name of the petitioner that they had given him the motorcycle. The learned counsel submits that petitioners based on confessional statement of Kundan Kumar in police custody came to be implicated when admittedly they are persons with clean antecedent and are young boys of 19 and 21 years. It is also submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail, then if the petitioners are sent to jail, their entire career would be jeopardized and they may come in company of hardened criminals when they are admittedly persons with clean antecedent.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bikram P. S. Case No.176 of 2022, subject to the conditions laid down under



Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioners shall be their respective fathers namely, Niwas Vishwakarma and Bindu Bhushan Dwivedi @ Bindu Dwivedi.

The application stands allowed.

(Satyavrat Verma, J)

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