

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63163 of 2021**

Arising Out of PS. Case No.-66 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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ANIL SINGH @ ANIL KUMAR SINGH S/o Brijnandan Singh @ Brijnandan
Kumar Singh R/o village- Tetrama, P.S.- Manpur, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 01-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the

offence under Sections 341, 365 and 379 of the Indian Penal

Code.

According to the prosecution, 700 bags of Ultratech

Cement proceed from Daniyama (Patna to Naglupur, Bhagalpur.

The trailer driver of the vehicle who is the petitioner was in

contact and conversation and the GPS also shows trailer

Mohandapur Ghatta and thereafter there was no talk with the

driver and also no location of the vehicle was received from GPS.



It was apprehended that some damage has been caused to the vehicle goods and the driver of the vehicle. The informant inquired at his on level but no clue was found and then he filed the written complaint. With this allegation the excise case was lodged against the unknown.

Learned counsel for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has not committed any offence and he has falsely been implicated in this case. He further submits that the petitioner has not been named in the F.I.R. but during course of investigation, the petitioner has confessed his guilt before the police and on that basis, he has been made accused in this case. Nothing incriminating has been recovered from the possession of the petitioner. The petitioner is rotting in judicial custody since 09.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shekhopur Sarai P.S. Case No. 66 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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 step 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.

(Rajesh Kumar Verma, J)

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