

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71252 of 2021

Arising Out of PS. Case No.-141 Year-2021 Thana- CHANDAN District- Banka

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KANHAIYA KUMAR Son of Rajendra Sah Resident of Village- Ghorghat,
P.S.- Bariyarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 30-06-2022 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 Chandan
P.S. Case No. 141/2021 registered for the offences punishable
under Sections 411, 414, 420/34 of the Indian Penal Code and
Section 179 of the M.V. Act.

As per prosecution case, self statement of one Ravi
Shankar Kumar, SHO, Chandan, alleging therein that on
20.08.2021 during the course of vehicle checking, the informant
intercepted a motorcycle without bearing registration number.
Three persons were riding on them including the petitioner,
when the informant asked to produce the valid paper regarding



the motorcycle in question. The accused persons could not produce the same.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. There is no recovery from the conscious possession of the petitioner. The petitioner is languishing in custody since 21.08.2021 and the petitioner bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering the evidence.

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 as well as period of custody, charge has already been submitted and keeping in view clean antecedent of petitioner 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 Chief Judicial Magistrate, Banka, in connection with Chandan P.S. Case No. 141/2021, 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 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)

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