

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71269 of 2021

Arising Out of PS. Case No.-199 Year-2021 Thana- KOTWALI District- Patna

AMAN KUMAR @ SAHIL KUMAR S/o Sri Dilip Kumar @ Dilip Chaudhary Resident of rented House of Brij Bihari Singh, at Chanakya Nagar Baithaka Pur, Punchsheel Nagar, Kumhrar, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

According to prosecution case, on 24.04.2021 the informant Bilendra Rai has parked his motorcycle near Golamber Pillar No.13, Station Golamber, Patna from where one thief had started going away with his said motorcycle who is arrested by the local shopkeeper on hulla who had divulged



his name to be Aman Kumar @ Sahil Kumar (petitioner) and he is handed over to the police and the said motorcycle is seized by the police.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that petitioner was apprehended with one stolen motorcycle and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.04.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Kotwali P.S. Case No. 199 of 2021, 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 witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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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