

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6818 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- DUMRA District- Sitamarhi

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Ankit Kumar, S/o Sudheshwar Thakur, R/o Village- Hari Chhapra, P.S.-
Dumra, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Dumra P.S. Case No. 01 of 2022, registered for the alleged offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, three motorcycle born miscreants overtook the motorcycle of the informant and tried to snatch his motorcycle and mobile phone. In order to commit the crime, they assaulted the informant with knife and took away his motorcycle. The name of the petitioner transpired during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case merely on suspicion. The petitioner was apprehended in some other case where his confession was extracted that he was also involved in the present case. Nothing incriminating has been recovered from the possession of this petitioner and no Test Identification Parade has been carried out till date. This shows there is no material to implicate the petitioner in the present case. Similarly placed co-accused Deepu Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No.59823 of 2022. Charge sheet has been submitted in this case and the petitioner is in custody since 08.06.2022.

5. Learned A.P.P. opposes the prayer for bail submitting that the petitioner has got criminal antecedent and is accused in two other cases.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown from this petitioner and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with



Dumra P.S. Case No. 01 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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