

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30188 of 2023

Arising Out of PS. Case No.-463 Year-2022 Thana- SHASTRINAGAR District- Patna

AMIT KUMAR Son of Ashok Prasad Resident of village- Ram Krishna Nagar, Road No. 1, Jyoti Path, ward no. 30, P.S. - Ram Krishna Nagar, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Shastri Nagar P.S. Case No. 463 of 2022 registered for the offences punishable under Sections 356, 382, 34 of the Indian Penal Code.

As per prosecution case, two unknown miscreants boarding on motorcycle snatched the chain of informant's wife weighing 13 bhar amounting to Rs. 60,000/- Hence, FIR has been registered against two unknown miscreants.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been surfaced upon the confessional statement of co-accused Md.



Jubair @ Aryan given in Rajiv Nagar P.S. Case No. 459 of 2022. Petitioner is in custody since 28.09.2022 in connection with present case. Petitioner bears criminal antecedent of five cases in which he is on bail. He further submits that no T.I.P. has been conducted by the police till today. No stolen article has been recovered from possession of the petitioner. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner keeping in view criminal antecedent of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Patna in connection with Shastri Nagar P.S. Case No. 463 of 2022, 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 without appropriate permission, 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case.

(Alok Kumar Pandey, J)

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