

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49353 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- SARMERA District- Nalanda

Sanny Kumar Son Of Manoj Raut Resident Of Village - Toda, Ps- Sarmera,
Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sarmera P.S. Case No. 165 of 2022, registered on 24.06.2022 for the offences under Sections 414, 467, 468, 420/34 of the Indian Penal Code.

3. As per prosecution case, police received information about co-accused Jackey Kumar keeping stolen motorcycle in his house and allegation against the petitioner is that he and other co-accused persons have been dealing with stolen motorcycles. A raid was conducted and a stolen motorcycle was recovered from the house of Jackey Kumar and three persons fled away from the house of co-accused Jackey Kumar who



could not be apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioner. From the FIR it appears that the stolen motorcycle was recovered from co-accused Jackey Kumar and the petitioner has nothing to do with the affairs of Jackey Kumar. Merely on suspicion the petitioner has been made accused in this case and there is no material against the petitioner.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner has been named on the basis of suspicion without any substantive material against him, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court in



connection with Sarmera P.S. Case No. 165 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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