

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48835 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- KANKARBAG District- Patna

Suraj Kumar Sharma @ Bahira @ Aditya Anurag, Son of Purau Sharma @
Shanker Sharma Resident of Village - Rajendra Nagar, Sabzi Mandi, P.s.-
Patrakar Nagar, Distt.- Patna.-800020

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 08-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, as pointed out by the office
be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Kankarbagh P.S. Case No. 146 of 2022
registered for the alleged offences under Sections 411, 413,
414/34 of the Indian Penal Code.

As per prosecution case, the petitioner and other co-
accused persons were apprehended with the stolen motorcycle
and on further confession of co-accused Md. Shamshad, other
stolen motorcycles were recovered.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has nothing to do with the stolen motorcycle and there is no eye witness, who might have seen the petitioner at the place of occurrence. The petitioner is a carpenter and he was apprehended while he was passing through the place of occurrence. There is no evidence against the petitioner for stealing of motorcycle. The petitioner is in custody since 17.02.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is accused in five cases of similar nature.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate/concerned court, Patna in connection with Kankarbagh P.S. Case No. 146 of 2022, subject to the conditions mentioned in Section 437(3) of



the Cr.P.C. and 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 for 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)

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