

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51238 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- DHAMDAHA District- Purnia

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RAMESH KUMAR @ RAMESH SHARMA @ RAMESH KUMAR
SHARMA Son of Balmiki Sharma Resident of Village - Singhiyan, Police
Station- Bhawwanipur, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case

registered for the offences punishable u/s 392 of the Indian

Penal Code.

As per the prosecution case, four miscreants boarded

on two motorcycles intercepted the motorcycle of the informant

and the miscreants snatched his bag containing Rs. 1,61,490 and

Samsung Tab Marfo. The miscreants also snatched the bag of

the informant's colleague Rahul Kumar containing Rs. 11,200,



Samsung Tab Marpho and other documents and fled away.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the basis of confessional statement of the co-accused Suraj Kumar @ Nishant Raj. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Purnia in connection with Dhamdaha P.S. Case No. 158 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. The court below shall verify the criminal antecedent of the petitioner and at any stage, if 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.

The application stands allowed.

(Chandra Prakash Singh, J)

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