

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54490 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- BIKRAM District- Patna

SURAJBHAN KUMAR Son of Shashi Kant Sharma Resident of Village -
Bishaunbharpur, P.s.- Bikram, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvan Kumar, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in connection
with Bikram P.S. Case No. 176 of 2022 instituted under
Sections 379 of the Indian Penal Code.

As per the prosecution story, the informant alleged
that his elder brother went to a 'Tilak Samaroh' and parked his
motorcycle outside and after completion of the function, when
he came out, the motorcycle was missing. Accordingly, the FIR
was lodged.

Subsequently, the police during the investigation
apprehended one Kundan Kumar and on his confession, the
other co-accused persons' name also cropped up, the petitioner
being one of them.



Learned counsel for the petitioner submits that he do not have any criminal antecedent, name has come in the confessional statement and similar situated other accused whose name has also come in the confessional statement of Kundan Kumar have since been granted the anticipatory bail by a coordinate bench on 20.10.2022 vide Cr. Misc. No. 52161 of 2022.

Let the same be kept on record.

He further submits that the petitioner is ready to abide by all the terms and conditions if granted anticipatory bail.

Learned APP on the other hand opposes the prayer stating that his name has come in the motorcycle theft.

Taking into account the fact that he is only 19 years of age and have no criminal antecedent and similar situated others have been granted anticipatory bail, this Court is inclined to grant him relief with conditions.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Bikram P.S. Case No. 176 of 2022 to the satisfaction of learned A.C.J.M.,



Danapur, District-Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with the condition :

(i) the petitioner shall be visiting the concerned police station for next six months every fortnight;

(ii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Prakash Narayan
/Ajay Singh/-

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