

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59498 of 2022

Arising Out of PS. Case No.-509 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Umesh Sharma Son of Dhruv Sharma R/V- Sareya Ward No. 2, P.S-
Gopalganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 413, 414/34 of the Indian
Penal Code.

As per prosecution case, in brief, is that on 24.06.2022
at about 7:30 PM, the informant along with police personnel was
on patrolling duty and when they reached at Hajiyapur *more*, he
got secret information that four persons were standing at
Bhitbherwa petrol pump for selling stolen Scorpio vehicle. The
police team reached there and started to search the miscreants
and in the meanwhile, four persons tried to flee away with the
Scorpio. Police caught one of them who disclosed his name
Umesh Sharma and he did not produce any paper of the vehicle.



He further stated that Bablu Singh and Ajit Singh are the owner of the vehicle and they came to sell the said vehicle to Deepak Kumar Singh and they used the said vehicle for transporting the wine for selling.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that in fact the petitioner is the driver of the vehicle in question and the petitioner has no knowledge about the owner of the vehicle in question. He further submits that there is non compliance of Section 100 of the Cr. P.C. and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gopalganj Town P.S. Case No. 509 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, 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.

(Rajesh Kumar Verma, J)

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