

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62008 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Parmendra Gond Son of Late Dev Goud R/V- Basantpur Tola, P.S- Sasaram
(Muff.) Dist- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 06-04-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Sasaram (Muff.) P.S. Case No. 122 of 2022 registered for the offence punishable under Sections 413 and 414 of the Indian Penal Code.

As per the prosecution, police personnel on secret information apprehended one accused Manish Kumar and recovered the alleged vehicle. Further, this petitioner is alleged to be involved in the sale-purchase of the alleged stolen vehicle.

The main submissions advanced by learned counsel for

petitioner are that though against the petitioner there are criminal antecedents of 11 cases but he is on bail in all the said cases, in the present case he was remanded from Shivsagar PS Case No. 117 of 2022, he was not apprehended at the spot and his name surfaced in the statement of co-accused Manish Kumar who was apprehended at the alleged automobile garage, has been granted bail by the Trial Court itself and after the petitioner's arrest nothing incriminating was recovered from his possession and against him the investigation has been completed and he has been languishing in jail for about one year.

Learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the custody period of the petitioner and also the fact that the petitioner was not apprehended at the spot from where the alleged vehicle which was suspected to be stolen, was recovered and his name surfaced in the statement of apprehended co-accused who is on bail, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Sasaram (Muff.) P.S. Case No. 122 of

2022 on the condition that both the bailors must be his close family members having sufficient immovable property in their name, subject to the satisfaction of the learned Trial Court.

(Shailendra Singh, J)

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