

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61803 of 2022

Arising Out of PS. Case No.-213 Year-2022 Thana- ARWAL District- Jehanabad

=====

DHARMENDRA KUMAR @ A.T.M. Son of Birendra Ram R/v- Bakhtari,
P.S.- Karpi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar,APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 379,411 of IPC.

The prosecution case, in short, is that the petitioner
petitioner besides co-accused persons, are alleged to have
committed theft of a mobile of the informant and the Adhar
Card of the informant was also kept in the cover of the said
mobile. It is also alleged that in spite of several calls, the
accused persons refused to return his mobile. Accordingly, the
FIR has been registered.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
only on the basis of the suspicion. He further submits that it



appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any theft against the petitioner and nothing has been recovered from possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.07.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner. Further submits that the petitioner carries three more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (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 Arwal P.S. Case No. 213 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, 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 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.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

