

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61151 of 2022**

Arising Out of PS. Case No.-549 Year-2021 Thana- GARDANIBAG District- Patna

AMIT KUMAR @ GOLU S/o Suresh Chaudhary R/o Mohalla- Panch  
Mandir, Damariya, P.S.- Gardanibagh, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajiv Prashant, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      23-02-2023                      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 and 411 of the Indian Penal  
Code.

The case relates to commission of theft of  
motorcycle.

Learned counsel appearing for the petitioner  
submits that the petitioner is innocent and has falsely been  
implicated in this case. He further submits that the  
petitioner has not been named in the F.I.R., however, his  
name transpired in this case during course of investigation.  
In fact, nothing has been recovered from the conscious



possession of the petitioner. He further submits that the petitioner has been apprehended in connection with Gardanibagh P.S. Case No. 552 of 2021 and on that ground, he has been implicated in this case also. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 01.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Gardanibagh P.S. Case No. 549 of 2021 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 canceled



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.

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)**

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