

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65253 of 2022

Arising Out of PS. Case No.-364 Year-2022 Thana- BELHAR District- Banka

SANDIP ANAND @ SONU KUMAR Son of Sri. Chandra Bhushan Sah
Resident of Village- Sahebganj, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2023 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 461 of the Indian Penal
Code.

The case relates to commission of theft in the
school of the informant, inter alia stating that certain
electronic gazettes such as Desktop, Monitor with mouse
and keyboard along with two exide Tubler battery 100VA,
and also one laser printer, scanner and copier have been
stolen.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, 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 surfaced in this case during course of investigation on the disclosure of co-accused, Nandan Kumar. He further submits that as a matter of fact, the co-accused, Nandan Kumar has purchased the battery in question which has been shown to be recovered from his house. He further submits that the petitioner has no concern with the alleged recovery and the co-accused. 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 15.10.2023.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Belhar P.S. Case No. 364 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 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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