

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75823 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- AKHODHIGOLA District- Rohtas

VISHNU KUMAR @ VISHNU KR. S/O LATE RAMDEO SAH R/O VILL.-
DHANAWAN, P.S- NASRIGANJ, DISTT.- ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Akhodhi Gola P.S. Case No. 85/2023 registered for the offences

punishable under Sections 379 of the Indian Penal Code.

As per prosecution case, the informant parked his

motorcycle near Sabji Mandi and when he came back, he found

that his motorcycle was not present at the place where it was

parked and hence, FIR was lodged against an unknown person.

Learned counsel for the petitioner submits that

petitioner has been apprehended with the motorcycle as he

was coming with his friend who was driving the said motorcycle

in question. It is further submitted that petitioner has nothing



to do with the said motorcycle. No TIP was conducted. Petitioner is in custody since 25.04.2023. Charge sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. It is further submitted that the petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, charge sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Judicial Magistrate, Dehri, Dist- Rohtas at Sasaram in connection with Akhodhi Gola P.S. Case No. 85/2023 , subject to the following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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