

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24576 of 2024

Arising Out of PS. Case No.-239 Year-2022 Thana- PARSA District- Saran

Sunil Kumar S/o- Yogendra Singh Village- Harihas PS-Hussenganj Dist-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2024 On call, no one appears on behalf of the petitioner though learned APP is present.

2. The petitioner apprehends his arrest in connection with Parsa P.S. Case No. 239 of 2022 for the offence registered under sections 461 and 379 of the Indian Penal Code lodged on 19.09.2022 by the informant, Kumar Chandra Shekhar @ Nunu.

3. As per the prosecution story, the allegation is of breaking the lock, entering the house and taking all the goods on a loader having vehicle no. BR-04AM-XX88. Accordingly, the F.I.R.

4. As per the petition, the petitioner has been named to be the owner of the said four wheeler but in paragraph 8, it has been categorically stated that he is neither the owner nor has any



role to play in the matter, rather the real owner is Sunil Kumar Dwivedi son of Late Ramchij Dwivedi of Akbarpur in the District of Siwan.

5. Taking into account the aforesaid facts as also that he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

6. The Court concerned shall ensure by procuring the registration certificate of the vehicle to check whether the petitioner owns the said vehicle or not and further also check his criminal antecedent. In case, he fails in either of the two, the order shall become infructuous.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-9th Saran at Chapra in connection with Parsa P.S. Case No. 239 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Neha/-

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

