

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37626 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- GOPALGANJ TOWN District- Gopalganj

Amit Kumar, S/o Late Raja Mahto, R/o village - Purani Chowk, Noniya Toli,
Ward No. 20, P.S - Gopalganj, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Buxi S.R.P. Sinha, Sr. Advocate Mr.Lokesh Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-07-2024 The learned senior counsel appearing on behalf of the petitioner submits that as per instruction wrong averment has been made in paragraph 10 of the bail petition and he seeks permission to delete the said paragraph in course of the day. The learned senior counsel tenders unqualified apology for the inconvenience caused to this Court.

2. Prayer is allowed.

3. Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

4. In the present case, the petitioner seeks bail in connection with Gopalganj Town P.S. Case No. 62 of 2024, registered for the alleged offences under Sections 420, 379, 467, 468 and 471 of the Indian Penal Code.

5. As per prosecution case, the petitioner snatched the



ATM Card of the informant and was apprehended while trying to flee away from the spot. From possession of the petitioner, recovery of 14 ATM Cards and a motorcycle was made.

6. The learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner. The motorcycle seized from the petitioner belongs to one of his relative, namely Sunil Prasad. The petitioner has borrowed his motorcycle and it was not a stolen property. The matter has been compromised between the petitioner and the informant. The charge sheet has been submitted against the petitioner under Sections 420, 467, 468, 471, 379, 411/34 of the Indian Penal Code. The petitioner is in custody since 24.01.2024 and he is having criminal antecedent of dissimilar nature.

7. Learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that at the instance of the petitioner, further recovery of Laptop, cash, mobile handset, optical finger print sensor, 53 more ATM cards etc. were made.

8. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of



custody of the petitioner as well as submission of charge sheet, he is directed to 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 Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S. Case No. 62 of 2024, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) The petitioner will not indulge in similar type of offences in future.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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