

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40171 of 2024

Arising Out of PS. Case No.-502 Year-2021 Thana- GHORASAHAN District- East
Champaran

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Ajit Anand @ Bittu @ Ajeet Anand Son Of Sadan Sah @ Sadan Prasad
Resident of Village - Hasanpur Bairiya, P.S. - Kundwa Chainpur (Kharhua
Chainpur), District - East Champaran at Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with
Ghorasahan (Jitna) P.S. Case No. 502 of 2021 dated 26.11.2021
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. The prosecution case, in short, is that on 26.11.2021 at
about 7:00 pm after collecting money, the informant was
returning his house on his motorcycle. In the meantime, near
pond of Lalbabu Singh, Pipra Chowk, one Apache motorcycle
having no registration number dashed the motorcycle of the
informant and when the informant fell down on the ground, two
persons came on one TVS motorcycle and looted cash worth of



Rs. 1,50,000/- from dickey of the informant's motorcycle along with his motorcycle bearing Reg. No. BR30AB6134 and fled away.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that F.I.R. has been lodged against two unknown persons. Only on the basis of confessional statement of one Dilip Yadav, the petitioner has been made accused in this case. Nothing has been recovered either from the possession of the petitioner or from his house. No T.I.P. has been conducted till date. The petitioner has been made accused only on the basis of his past criminal antecedent. Lastly, it has been submitted that the petitioner is in custody since 30.09.2022, having eleven criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sikrahana at



Dhaka, East Champaran in connection with Ghorasahan (Jitna)

P.S. Case No. 502 of 2021, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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