

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44885 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- ARA NAGAR District- Bhojpur

Dilip Sharma Son of Shivnandan Sharma R/O Vill.- Gausganj, Gangi, P.S.-
Ara Town, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail but, the same was dismissed as withdrawn vide order dated 21.05.2024 passed in Cr. Misc. No. 31966 of 2024.

3. The petitioner seeks bail in connection with Ara Town P.S. Case No. 14 of 2024 instituted for the offences under Sections 414, 467, 468, 120(B) of the Indian Penal Code.

4. As per prosecution case, the police, on receipt of information, reached at the garage of Dilip Sah and saw that the work of denting and painting of a suspicious Truck is going on. The said person disclosed his name as Dinesh Sharma. On



investigating, it was found that the alleged Truck was stolen one.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case only on mere suspicion. The petitioner is the owner of the alleged garage and had no knowledge about the Truck, in question. He further submits that the co-accused Rakesh Kumar had brought the said Truck for denting and painting in the garage of the petitioner and he had no knowledge as to whether the same was stolen one or not. The petitioner has no concern with the seized Truck. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 23.04.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

6. Learned counsel for the petitioner again submits that the co-accused namely Dinesh Sharma and Rakesh Kumar have been granted bail by this Court vide orders dated 17.05.2024 and 25.04.2024 passed in Cr. Misc. Nos. 32247 of 2024 and 31748 of 2024 respectively.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ara Town P.S. Case No. 14 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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