

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43937 of 2024

Arising Out of PS. Case No.-216 Year-2022 Thana- SANGRAMPUR District- Munger

Nitesh Kumar @ Gabbar Son Of Deepak Kumar Singh @ Ram Krit Singh @
Deepak Kumar Village- Barsanda, Ps.- Telia Bambar, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sangrampur P.S. Case No. 216 of 2022, instituted for the offence punishable under Section- 379 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant parked his motor cycle in front of the house of his master and on the next day, he was informed that his motorcycle has been stolen by unknown person.

4. Learned counsel for the petitioner submits that the police ceased one motorcycle from the roadside near the house of the petitioner and on the basis of the said recovery, the petitioner has been implicated in this case. It is submitted that petitioner has no concern with the lost motorcycle. One motor-



cycle has been recovered from the house of the petitioner which belongs to the petitioner. It is submitted that the petitioner has two criminal antecedents against him.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sangrampur Police Station Case No. 216 of 2022, he will 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 Judicial Magistrate 1st Class, Munger subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

I. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

II. One of the bailors will be their own blood relation, preferably father, mother, brother, sister



and or their wives.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioners are made accused in any other case of similar nature after their 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.

IV. If the petitioners tamper 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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