

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52115 of 2024

Arising Out of PS. Case No.-802 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Amarendra Kumar Singh Son of Dasharath Singh Resident of Village -662
F.K Nagar, P.S-. Shree Rampur, District -Hooghly West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Aurangabad Town P.S. case No. 802 of 2023, instituted for the

offences under Sections 379 and 511 of the Indian Penal Code.

3. Prosecution case, in short, is that some unknown

miscreants tried to damage the ATM machine by cutting it with

a gas cutter and steal money.

4. Learned counsel for the petitioner submitted that the

petitioner has falsely been implicated in the present case.

Petitioner is not named in the F.I.R. The name of the petitioner

transpired in this case on the basis of the confessional statement

of the co-accused Vivek Kumar who has already been granted



bail by this Court vide order dated 25.04.2024 passed in Cr. Misc. No. 31426 of 2024. No incriminating/looted article has been recovered from the conscious possession or from the house of the petitioner. He further submitted that except the confessional statement of the co-accused person, there is no material against this petitioner. It has been submitted on behalf of the petitioner that the petitioner has been remanded in this case from Obra P.S. Case No. 442 of 2023 on 31.01.2024 and has three criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of offence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Aurangabad Town P.S. case No. 802 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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