

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67362 of 2024

Arising Out of PS. Case No.-209 Year-2017 Thana- PUNPUN District- Patna

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Anand Kumar S/o Shree Ramanuj Yadav R/o vill - Pansuhi, P.S. - Dulhin
Bazar, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Kumar, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-10-2024 Heard Mr. Bindeshwar Kumar, learned counsel for

the petitioner and Mrs. Sangeeta Sharma, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Punpun P.S. Case No. 209 of 2017, F.I.R. dated
12.06.2017 registered for the offences punishable under
Sections 414/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with other co-accused persons committed the theft of
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case on the basis of the disclosure/confessional
statement of co-accused person namely Suraj Kumar. He



further submits that nothing has been recovered from the conscious possession or the house of the petitioner and except the confessional statement of co-accused person, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and for the same motorcycle in question one Beur P.S. Case No. 132 of 2017 was also registered under Section 379 of the Indian Penal Code.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one.

6. Considering the facts and circumstances of the case and the fact that the name of the petitioner has been transpired on the basis of confessional statement of co-accused person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Masaurhi in connection with Punpun P.S. Case No. 209 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and



with other 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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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