

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20366 of 2024

Arising Out of PS. Case No.-146 Year-2022 Thana- KANKARBAG District- Patna

Md Shamsad Son of Md. Sadik Resident of under the Rajendra Nagar Pool,
P.S.- Patrakar Nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Narayan Sharma, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kankarbagh P.S. Case No. 146 of 2022 registered on 16.02.2022 for the alleged offences under Sections 411, 413, 414, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner and two other co-accused persons were apprehended when the police conducted a raid at an identified place. On getting information about gathering of miscreants for sale and purchase of stolen motorcycles. Petitioner is one of the apprehended persons and recovery of two stolen motorcycles was made from the apprehended persons.



Some master keys were also recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the provision of search and seizure were not followed while arresting the petitioner who is in custody since 17.02.2022. Charge sheet has been submitted. Petitioner is having criminal antecedent of three cases and he is on bail in all these cases.

5. Learned APP as well as learned counsel for the informant oppose the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioner and also his period of custody and submission of charge sheet, the petitioner above named is directed to 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 learned ADJ-IV, Patna in connection with Kankarbagh P.S. Case No. 146 of 2022 subject to the



conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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