

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14153 of 2025

Arising Out of PS. Case No.-51 Year-2022 Thana- KHARIK District- Bhagalpur

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Amar Kumar S/o- Manoj Kumar Roy, Village- Rannuchak Makandpur, P.S.-
Nathnagar, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kharik P.S. Case No. 51 of 2022 dated
23.02.2022, filed for the offences punishable under Sections
413, 414 and 420/34 of the Indian Penal Code.

3. As per allegation, one car of white colour was
found to be standing in front of house of Fucho Mandal without
any registration number of it. As per statement of Fucho
Mandal, one Jyotish Kumar had parked that vehicle in front of
his house. Then the police approached the co-accused- Jyotish
Kumar who came with the key and the car was opened but the
documents of the vehicle were not matching with the chassis
number of the vehicle. Hence, it was found that the vehicle was



stolen. As per the statement of co-accused- Jyotish Kumar, the vehicle was given to him by the petitioner/ Amar Kumar.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that Jyotish Kumar was his previous driver and he was removal from the service and hence on account of such removal, he has falsely implicated the petitioner. He further submits that nothing has been recovered from possession of the petitioner because vehicle in question was found parked in front of the house of other man and admittedly that vehicle was parked by Jyotish Kumar and hence, the petitioner has nothing to do with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Naughachia, in connection with Kharik P.S. Case No. 51 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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