

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81764 of 2024

Arising Out of PS. Case No.-512 Year-2024 Thana- FATEHPUR District- Gaya

Sunil Kumar @ Sunil S/O Late Mathura Yadav R/O Vill.- Matgaddha, P.S.
Sindhugarh, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabia Gulnaz, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Fatehpur P. S. Case No. 512 of 2024 dated 17-08-2024,
instituted for the offence punishable under Sections 303(2),
317(2), 336(4), 341(3), 341(4) of the BNS 2023.

3. The allegation against the petitioner is that he was
apprehended with stolen motorcycle bearing Registration No.
JH12Q7757, Chassis No. ME4JC657HH7013282 and Engine
No. JC65E71259678 and when it was investigated, the owner of
the vehicle was identified as Deepak Kumar. From the aforesaid
facts, it is apparent that petitioner was using the stolen vehicle
by forging its registration number.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is submitted that alleged motorcycle was borrowed by the petitioner from a person of the same locality for purchasing medicine for his mother. The petitioner was riding the motorcycle oblivious of the fact that the motorcycle was stolen one. No T.I.P has been conducted till date. Charge sheet has been submitted in the case. Lastly, it has been submitted that the petitioner is in custody since 18-08-2024 having no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned C.J.M. Gaya, Aurangabad in connection with Fatehpur P. S. Case No. 512 of 2024 subject to the conditions:- (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood



relation, preferably father, mother, brother, sister and or his wife,
(iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his 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, and
(iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

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