

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25470 of 2017

Arising Out of PS.Case No. -181 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Pradyum Kumar @ Praduman Kumar, S/o Deenanath Prasad, Resident of
Village- Uchidih, P.S.- Adapur (Harpur), District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 14-06-2017 Heard Sri Rakesh Kumar, learned counsel for the
petitioner and Sri B.N. Pandey, learned A.P.P. for the State.

The petitioner is seeking regular bail in connection with
Adapur (Harpur) P.S. Case No. 181 of 2016 for offence registered
under Section 394 and 411 of Indian Penal Code.

Learned counsel for the petitioner submits that a bare
perusal of the First Information Report shows that while the
motorcycle, in question, was snatched from one Nurain Mian, while he
was going to his home after attending his duty, the present F.I.R. has
been lodged after two days by the Branch Manager. The petitioner is
not named in the F.I.R., however, it is alleged that he disclosed the
name of one Khalid from whom the motorcycle, in question, was
recovered. Learned counsel further submits that petitioner is a
mechanic and, therefore, several motorcycles used to come in his



garage for repairing purposes and, therefore, he gets knowledge, but in no case, he has participated in the alleged occurrence. He is in custody for about seven months, but there is no T.I. Parade and the name of the petitioner has been brought by the Police on suspicion alone. He further submits that in the earlier case also he was not named and has already been granted bail. A supplementary affidavit has been filed stating therein that in Palanwa P.S. Case No. 57 of 2016 also though he is not named, but he has been taken on remand.

Learned A.P.P. opposed the prayer for bail, however, it is not denied that the petitioner is in jail for seven months and no T.I. Parade of the petitioner has been conducted.

Considering the facts and circumstances of the case and the petitioner is in custody for seven months and no T.I. Parade has been conducted, this Court is inclined to grant regular bail to the petitioner on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Raxaul at Motihari in connection with Adapur (Harpur) P.S. Case No. 181 of 2016, subject to the condition under Section 437 (3) Cr.P.C. and that the petitioner shall cooperate in the trial. In case of two regular defaults in appearance, the bail bond of the petitioner shall be cancelled by the Court below.

(Rajeev Ranjan Prasad, J)

manish/-

U		T	
---	--	---	--

