

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57358 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Vishal Kumar, Son of Santosh Prasad, Resident of Mohalla- Sheoganj
Ara, P.S.- Ara Nagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Ara
Town P.S. Case No.26 of 2017 registered for the offence
punishable under Section 379 of the Indian Penal Code.

It is alleged by the informant in his written report that his
motorcycle was stolen by unknown person. It has been submitted
that the petitioner is neither named in the F.I.R. nor any recovery
has been made from his possession. The co-accused Abhishek
Kumar, who confessed and disclosed the name of petitioner, has
been allowed bail in Cr.Misc. No.22217 of 2017 on 09.05.2017 by
a coordinate Bench of this Court. The case of the petitioner stands
on similar footing. The petitioner is in custody since 09.10.2017.



The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No.26 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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