

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39913 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -BAHADURPUR District- DARBHANGA

=====

1. Mithun Sah @ Pradeep Kumar @ Pradeep Kr. Sah Son of Binod Sah,
Resident of Village-Donar, Police Station-Laheriyasarai, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Subhas Singh, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 05.02.2017 in
connection with Bahadurpur P.S. Case No. 45 of 2017, for
offences punishable under Sections 400,401,413,414,420,467 and
468 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel is that
on information that stolen motorcycles are being purchased and sold by
dealers, the police apprehended one Deepak Kumar who disclosed the
name of his 5 associates who were dealing with stolen motorcycles who
in turn disclosed the name of the petitioner. The police apprehended the
petitioner and from his possession one motorcycle was recovered which
was alleged to be a stolen one. Altogether 12 accused persons



have been arrested and six motorcycles have been recovered and FIR has been registered against 19 named accused persons including the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal antecedent and has falsely been implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, in connection with Bahadurpur P.S. Case No. 45 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason



will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

khushbu/-

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

