

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 60110 of 2017

Arising Out of PS.Case No. -301 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Ajay Kumar Prasad S/o Devdat Prasad, R/o Village- Porshotampur, P.S.-
Chauradano, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr Yogendra Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-12-2017

Heard counsel for the petitioner and the State.

Petitioner is accused in Harsidhi Police Station Case
No 301 of 2017 registered for the offence punishable under
Section 414 of Indian Penal Code and Sections 25/26/35 of Arms
Act.

On the basis of suspicion, the petitioner is alleged to
have been arrested along with co-accused Pradeep Yadav.
Petitioner submits that recovery of the stolen motorcycle and
country made pistol is attributed to said co-accused Pradeep
Yadav. As per allegation in the first information report, only some
identity card, ATM card, driving licence and mobile phone were
recovered from the possession of the petitioner. The same cannot



be said to be incriminating materials and only on the basis of suspicion, he is in custody in this case since 03.08.2017. He further submits that the investigation is complete and charge sheet has been submitted.

Considering the submissions made on behalf of the petitioner, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in Harsidhi Police Station Case No 301 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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