IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12033 of 2018

Arising Out of PS.Case No. -62 Year- 2017 Thana -PIPRA District- EASTCHAMPARAN(MOTIHARI)

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Arun Yadav, Son of Nagendra Yadav, Resident of Village- Mathiya Bariyar Pur, P.S.- Pipra Kothi, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 18.09.2017 in connection with Pipra P.S. Case No. 62 of 2017 for the offences alleged under Section 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged theft of motorcycle, on mere suspicion and on the confessional statement of co-accused Sharma Kumar and Chhotelal Kumar. Except such statement, there is no other material to connect the petitioner with the alleged occurrence. Motorcycle in question has been recovered from the said co-accused Sharma Kumar and Chhotelal Kumar and for which separate cases have been instituted. The petitioner has been made accused in two other cases all registered on the same day.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the

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satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipra P.S. Case No. 62 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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