

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55894 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- CHHATAUNI District- East Champaran

Subhash Kumar Prasad @ Subhash Kumar, S/o Late Sitaram Sah, Resident of
Village+ P.S.- Lakhaura, Distt- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 29-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Chhatauni P.S. Case No.
156/2018 registered for the offences punishable under Sections
379 of the Indian Penal Code.

Informant has alleged that he had parked his
motorcycle near the hospital and had gone to hospital and when
he came back, the motorcycle could not be found and some
unknown thief had stolen his motorcycle. One co-accused, Ravi
Kumar was apprehended by the police and on his confession
the motorcycle was recovered from the house of the petitioner.

It has been submitted by the petitioner that he was not
aware that the motorcycle which is being kept by Ravi Kumar
is the stolen motorcycle. Petitioner has got no criminal



antecedent and is in custody since 13.06.2018. Similarly placed, Ravi Kumar, has already been granted bail vide order dated 25.10.2018 passed in Criminal Miscellaneous Case No.64093 of 2018 by a co-ordinate Bench of this Court.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari in connection with Chhatuani P.S. Case No. 156/18 with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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