

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22309 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- MEERGANJ District- Gopalganj

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Bipin Kumar @ Chhote, Son of Sita Ram Prasad, resident of Village-
Matihani Nayan, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Mirganj
P.S. Case No. 07 of 2018 registered for the offence punishable
under Sections 392 and 414/34 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on a secret information that some persons have
gathered with stolen motorcycle, they reached the place and
found four persons with stolen motorcycle out of which one
managed to flee away, but three were apprehended with
motorcycle, including the petitioner, who could not produce any
paper relating to the motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and



the confession made before the police is not an admissible evidence in the eye of law. He submits that the motorcycle was not stolen property and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XVIth, Gopalganj in connection with Mirganj P.S. Case No. 07 of 2018, subject to the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at



liberty to move the learned Court below for
cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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