

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68445 of 2018

Arising Out of PS. Case No.-572 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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Arvind Kumar Son of Jai Prakash Mahato, Resident of Village-Bhuja Banga,
P.S.-Dewariya, District-Muzaffarpur.

... .. 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. Sri Bal Mukund Prasad Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 14-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Motihari Town P.S. Case No. 572 of 2018 (G.R.
No. 5563 of 2018) registered for the offences punishable under
Sections 356/34 and 411 of the Indian Penal Code.

Informant has alleged in his written complaint that
after he parked his motorcycle and went to bring the milk and
while he was returning, he saw three accused persons trying to
break open the lock of motorcycle and seeing him they started
fleeing, however after chase one was apprehended and
remaining two managed to escape and from his possession tools
were recovered which were used for stealing the motorcycle.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to suspicion. The seizure list did not bear the signature of the petitioner. Petitioner has no criminal antecedent and is in custody since 13.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, in connection with Motihari Town P .S. Case No. 572 of 2018 (G.R. Case No. 5563 of 2018), subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

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