

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10560 of 2019

Arising Out of PS. Case No.-230 Year-2018 Thana- GRIYAK District- Nalanda

PRAPHUL KUMAR, Son of Alakhdeo Prasad, aged about 25 years, Gender Male, Resident of Village - Sadikpur, P.S. Bhadaur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1, Adv
For the Opposite Party/s : Mr.Ram Bachan Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 11-03-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

Allegation is of commission of theft of motorcycle of the informant and the said motorcycle was recovered from co-accused of this case, who confessed the name of petitioner.

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. Petitioner is not named in the FIR but during course of investigation he has been remanded in this case on 07.07.2018 from Giriyak P.S. Case No. 229 of



2018. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 10.10.2018 passed in Cr. Misc. No. 60978 of 2018. Petitioner is in custody since 07.07.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Giriyak P.S. Case No. 230 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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