

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9573 of 2019

Arising Out of PS. Case No.-410 Year-2018 Thana- KHAJEKALA District- Patna

PRAMOD KUMAR S/o Late Lal Bihari Rai, resident of Mohalla-Pachim
Darwaza Dadar Mandi, P.S-Alamganj, Distt.-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in judicial custody since 03.11.2018 in connection with Khajekalan P.S. Case No. 410/2018 for offences punishable under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while in the night at 8.30 p.m. he had gone for physiotherapy in his motorcycle and parked his motorcycle outside, while returning he found his motorcycle missing.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that



confessional statement before the police has no evidentiary value in the eye of law and charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner does not have a clean antecedent and is involved in one more case although of a different nature and the motorcycle was recovered from the possession of the petitioner.

Considering nature of allegation and the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Patna City, Patna, in connection with Khajekalan P.S. Case No. 410 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty



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

(Nilu Agrawal, J)

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