

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11286 of 2019

Arising Out of PS. Case No.-838 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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BHOLA KUMAR YADAV Son of Jagarnath Yadav R/o village- Chuhari ,
P.S- Chanpatiya , Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bettiah Town P.S. Case No. 838 of 2018
registered for the offence punishable under Sections 379/411 of
the Indian Penal Code.

Informant has alleged that he had parked his
motorcycle and went to purchase household articles and when
he returned back the motorcycle was found to be stolen. The
FIR is against unknown persons.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR. His name has surfaced in this
case on the basis of confessional statement made by co-accused



Prabhat Kumar Singh except confessional statement there is no other incriminating material against petitioner. Nothing has been recovered from his possession. It has been further submitted that similarly placed co-accused, namely, Prabhat Kumar Singh and Vikash Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 18.02.2019 passed in Cr. Misc. No. 9658 of 2019 and order dated 01.04.2019 passed in Cr. Misc. No. 19622 of 2019 respectively. Petitioner has been remanded in this case from the case as stated in para 3 of petition on 01.11.2018.

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 Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Town P.S. Case No. 838 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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