

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.26176 of 2019**

Arising Out of PS. Case No.-249 Year-2018 Thana- EKMA District- Saran

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KRISHNA KUMAR @SUGANA, aged about 25 years, Male, Son of Brahma Prasad Resident of Village - Takhat Baswan ,P.s.- Daudpur, Distt.- Saran  
... Petitioner

Versus

The State of Bihar ... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party : Mr. Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**

**ORAL ORDER**

2      08-05-2019                      Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since 29.11.2018 in connection with Ekma P.S. Case No. 249 of 2018 for the offence alleged under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant is that he owns a hard-ware shop and while he had gone to the godown, left the motorcycle outside and after ten minutes when he returned back found his motorcycle stolen.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the first information report and has been falsely implicated in the aforesaid case only on suspicion. He submits that no recovery of the motorcycle has been made from the possession of the petitioner and charge sheet has already been submitted.

However, the learned Additional Public Prosecutor for



the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case is pending against him.

Considering the nature of allegations, the period of custody and that charge sheet has already been submitted, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Ekma P.S. Case No. 249 of 2019 to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Saran at Chapra, or the successor Court, subject to the following conditions :

(i) 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.

(ii) 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)**

Shamshad/-

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