

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.29407 of 2019

Arising Out of PS. Case No.-621 Year-2018 Thana- MUFFASIL District- West Champaran

AJAY KUMAR, aged about 22 years, Male, Son of Hiralal Prasad Resident of
Village- Ranaha, P.S.- Shrinagar (Pujahan), District- West Champaran
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-05-2019

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 17.01.2019 in connection with Bettiah Muffasil P.S. Case No. 621 of 2018 for the offence alleged under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was on the way and stopped his motorcycle in the market to purchase some article, on returning he found his motorcycle missing.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the first information report and his name surfaced during investigation on the confessional statement of co-accused, Virendra Kumar, and has been remanded in the present case. It is submitted that nothing has been recovered from his conscious possession, charge sheet has been submitted, there being no allegation of tampering with the prosecution witnesses/evidence.

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 two more cases of similar nature are pending against him.

Be that as it may, considering the nature of allegations, the materials on record as well as 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 Bettiah Muffasil P.S. Case No. 621 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah, 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/-

U		T	
---	--	---	--

