

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78441 of 2019

Arising Out of PS. Case No.-613 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Kanhai Kumar @ Kanhai Kumar Sah @ Kanhaiya Kumar @ Kanhaiya Sah
Son of Krishna Sah Resident of Village - Thikhan Mataiya, P.S. - Vaishali,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-12-2019 Heard learned Counsel for the petitioners and the
learned APP for the State.

The petitioner seeks bail in in K. Hat (Sahayak) PS
Case No. 613 of 2018 registered under Section 379 of the IPC.

Petitioner's Counsel submits that the FIR alleges
that the vehicle in question was stolen while it was parked in
front of house of the informant on night of 29.8.2018. Even as
per allegations made in the FIR there is no witness to the
occurrence and petitioner was not named in the FIR. Petitioner
is in custody since 29.12.2018. It is further submitted that upon
his implication in this case upon confession of petitioner and co-
accused he has been implicated in other cases details of which
have been disclosed in para 3. The implication is subsequent to



petitioner's implication in this case and even his arrest has led to no recovery.

Having regard to the aforesaid submissions the petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Purnea in K.Hat (Sahayak) 613 of 2018 on the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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