

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84509 of 2019

Arising Out of PS. Case No.-211 Year-2015 Thana- VAISHALI District- Vaishali

CHHOTU KUMAR @ VIVEK KUMAR @ VIVEK @ VIKKY @ CHHOTU
Son of Late Kalika Prasad Singh @ Kalika Singh Resident of Village-
Kishunpur Madhuwan, Police Station-Kudhani, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv
For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section 379 of
the Indian Penal Code.

The FIR of the occurrence of theft of motorcycle
is against unknown. The stolen motorcycle was recovered from
the shop of a scrapped dealer. The dealer disclosed that he had
purchased the motorcycle from this petitioner and two others.

Submission is that for the recovery of the said
auto rikshaw, a separate case was registered and in that case, the
petitioner was allowed bail after remaining in jail about one year
and this case is in respect of theft of the said motorcycle by



unknown person.

Considering the facts of this case aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail **for the reason that for the same alleged act the petitioner cannot be twice sent to jail** on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Vaishali (Belsar O.P.) P.S.Case No.211 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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