

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12818 of 2020

Arising Out of PS. Case No.-405 Year-2019 Thana- DHANARUA District- Patna

Raju Kewat @ Ray @ Sonu @ Raj @ Raj Kumar Son of Ganga Kewat
Resident of Village - Malahchak, P.S. and District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 26.09.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 379 and 414 of the IPC.

The prosecution case, as per the written report of Shyam Deo Yadav, S.I. of Police, submitted to the S.H.O., Dhanarua Police Station is to the effect that on 26.09.2019 at 6.20 P.M., during patrolling, the informant received an information that Raju Kewat @ Raj is trying to sell stolen Apache motorcycle, consequently, raid was laid and three



accused persons including the petitioner was apprehended, but they failed to produce document with regard to the motorcycle.

It is submitted by learned counsel for the petitioner that recovery cannot be treated from the exclusive possession of the petitioner and co-accused Raju Kewat @ Raj has been granted bail by a co-ordinate bench of this Court vide Cr. Misc. No. 10092 of 2020. A statement has been made in paragraph no. 3 of the petition that the petitioner is accused in three other cases in which he is on bail. It is further submitted that the petitioner is languishing in custody since 26.09.2019 and the investigation has already been concluded.

Learned APP submits that stolen motorcycle was recovered from the possession of the petitioner.

Considering the fact that investigation has already been concluded and similarly situated co-accused persons has been granted bail, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned J.M., 1st Class, Masaurhi, District Patna in connection with Dhanarua P.S. Case No. 405 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail



bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned J.M., 1st Class, Masaurhi, District Patna in connection with Dhanarua P.S. Case No. 405 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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