

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12650 of 2020**

Arising Out of PS. Case No.-111 Year-2019 Thana- BEERPUR District- Begusarai

Sandeep Kumar @ Raja, Son of Upendar Singh, Resident of Village-
Ekamba, P.S.- Khodawanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

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

Heard Mr. Pushpendra Kumar Singh, learned counsel for the petitioner and Mr. Uma Shankar Prasad Singh, learned APP for the State.

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offences punishable under Sections 392/411 of the Indian Penal Code.

The prosecution case, as per the fardbeyan of Jaiprakash Mishra recorded by S.I. Amar Kumar, SHO, Birpur on 20.08.2019 at 11.00 A.M., is to the effect that on 20.08.2019, the informant was going by his Apache motorcycle, which was being snatched on gun point by unknown miscreants, leading to



registration of the FIR against unknown. During investigation, the name of the petitioner sprang up on the confession of co-accused Angad Yadav, as the petitioner was seen roaming on the said stolen Apache motorcycle and subsequently, the said motorcycle was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that even assuming the recovery from the possession of the petitioner, at best a case under Section 411 IPC is made out against the petitioner. The petitioner is languishing in custody since 24.09.2019. Though, the petitioner is accused in one another case and investigation has already been concluded but the petitioner has not been put on T.I. Parade.

Learned APP for the State submits that the stolen Apache motorcycle was recovered from the possession of the petitioner though has not controverted this fact that the petitioner was not put on T.I. Parade.

Considering the fact that the investigation has already been concluded and the petitioner has not been put on T.I. Parade, 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 Additional Chief Judicial Magistrate-I, Begusarai in connection



with Birpur P.S. Case No. 111 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 upon 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 the learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Birpur P.S. Case No. 111 of 2019.

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

(Dinesh Kumar Singh, J)

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