

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20513 of 2020

Arising Out of PS. Case No.-507 Year-2019 Thana- CHAPRA TOWN District- Saran

Shashi Kumar Son of Bijay Lal Singh Resident of Village - Mala, P.S.-
Chapra Muffasil, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2020 The matter has been taken up through virtual

Court proceeding.

Since the physical court proceeding is non-
functional due to the present pandemic COVID-19, the
matter is listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of the resumption
of the physical Court proceedings.

In case of non-removal of the defects within
undertaken period, the office shall place the matter
before the bench.

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is languishing in custody since



24.10.2019 in a case registered for the offences punishable under Sections 461, 379 of the Indian Penal Code, 1860.

The prosecution case as per the written report of Sanjeev Kumar Singh, submitted to the S.H.O, Chapra Town Police Station is to the effect that informant runs a computer shop situated in Nagar Parishad Market at Chapra. On 01.09.2019 at 8:00 P.M., the informant went home after closing his shop but on the next morning, the neighbouring shopkeeper informed the informant that someone has broken the shop of the informant whereupon he reached at his shop and found that six pieces of H.P. laptops and cash amount of Rs. 8000/- have been stolen away from his shop, leading to registration of the present F.I.R against unknown. The name of the petitioner sprang up during investigation when he was remanded in another case. Subsequently three laptops were recovered from the possession of the petitioner.



It is submitted by learned counsel for the petitioner that the recovered laptops have not been put on T.I. parade and the investigation has already been concluded. The petitioner is accused in one other case in which he is on bail.

Considering the nature of accusation and the fact that investigation has already been concluded, 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 learned Chief Judicial Magistrate, Saran at Chapra in connection with Town P.S. Case No. 507 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. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sarana at Chapra in connection with Town P.S. Case No. 507 of 2019 including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

Accordingly, the present application stands disposed of.

(Dinesh Kumar Singh, J)

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