

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18223 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- NALANDA District- Nalanda

VIKASH KUMAR @ RAHUL KUMAR Son of Binod Kumar Resident of
Village - Mohanpur, P.O. and P.S.- Nalanda, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bipin Kumar Deo, Advocate

For the Opposite Party/s : Mr Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 05-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings with the
aid of audio visual technology.

Heard Mr Bipin Kumar, learned counsel for the
petitioner as well as Mr Uma Shankar Prasad Singh, learned
APP for the State.

Petitioner seeks bail in Nalanda Police Station (for
brevity, PS) Case No 12 of 2020 instituted for the offence
punishable under Section 379 of Indian Penal Code.

Prosecution case is that the informant lodged the case



regarding his motorcycle missing from the house of one Pramod Chandra Jha where he had gone to visit him. The motorcycle has been recovered from the garage of co-accused Aman Kumar. Co-accused Aman Kumar has implicated the petitioner in this case. Accordingly, the petitioner is in custody since 04.02.2020.

Petitioner's counsel submits that other than confessional statement of co-accused Aman Kumar, there is nothing on record to connect the petitioner with the alleged occurrence. Petitioner bears clean antecedent and it is submitted that co-accused Aman Kumar has been allowed bail by this Court in Cr Misc No 18292 of 2020.

The learned APP for the State opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif in Nalanda PS Case No 12 of 2020 subject to the following conditions -

- (1) 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 bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

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

(Madhuresh Prasad, J)

M.E.H./-

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