

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18171 of 2020

Arising Out of PS. Case No.-905 Year-2019 Thana- KHAJANCHI HAT District- Purnia

MD. AKBAR S/o Late Kasim Resident of Village- Sipahi Tola, P.S.- K. Hat,
Distt- Purnea.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-06-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

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

Heard learned Counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in K. Hat (Madhubani) PS Case No. 905 of 2019 registered under Section 379 of the IPC.

The case of the informant is that he had gone to visit his relative. When he came out of the relative's house, his motorcycle, bearing registration No. BR 11X 1283, was missing. The FIR has been lodged against unknown persons. The petitioner's name has surfaced based on confessional statement of co-accused Ezaj. The petitioner on such basis is in custody since 3.12.2019.



It is the case of the petitioner that he has no criminal antecedent. Learned Counsel for the petitioner further submits that neither the petitioner has been put on T. I. Parade nor the unregistered motorcycle is alleged to have been recovered from his house. It is submitted that one more motorcycle is alleged to have been recovered on his identification.

Learned APP has opposed the prayer for bail.

Considering the rival submissions this Court is inclined to allow the prayer for bail.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Purnea in K. Hat (Madhubani) PS Case No. 905 of 2019 subject to the following conditions:-

(i) 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 bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) 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)

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