

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18192 of 2020**

Arising Out of PS. Case No.-5 Year-2020 Thana- MADHUBAN District- East Champaran

RAM PRAVESH KUMAR Son of Binod Rai Resident of Village - Muhanwa,
P.S.- Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Umesh Chandra Verma, Advocate

For the Opposite Party/s : Ms 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.

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 Umesh Chandra Verma, learned counsel for the petitioner as well as Ms Pushpa Sinha, learned APP for the State.

Petitioner seeks bail in Madhuban Police Station (for brevity, PS) Case No 5 of 2020 instituted for the offence punishable under Sections 413, 414 of Indian Penal Code.

There is an alleged recovery of two tempo vehicles



from the front of the petitioner's house. Further allegation is that on petitioner's disclosure, a blue coloured Apache motorcycle has been recovered from co-accused Babulal Kumar @ Suraj Kumar.

Petitioner's counsel submits that petitioner has no criminal antecedent. The offence, for which this case has been lodged, is not made out. Petitioner has not committed any offence and signature of the petitioner on the seizure list has been obtained under pressure and threat. Petitioner is in custody since 07.01.2020.

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 Additional Chief Judicial Magistrate, Motihari, East Champaran in Madhuban PS Case No 5 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)

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