

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20631 of 2020

Arising Out of PS. Case No.-429 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

DHEERAJ JHA S/o- Tinku Jha Resident of Village- Bhasar, P.S.- Sitamarhi,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2020 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, 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



04.11.2019 in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case as per the written report of Prashant Kumar Singh submitted to the S.H.O, Runnisaidpur Police Station is to the effect that on 14.10.2019 while the informant was coming from his sister's house situated at Gadhamanik Chowk, on way, four miscreants robbed the motorcycle of the informant, mobile phone, cash of Rs. 8,000/- and gave life threat, leading to registration of the F.I.R against unknown. In Runnisaidpur P.S. Case No. 30 of 2019, the petitioner and other accused persons were remanded on whose identification the motorcycle of the informant was recovered from the husk-heap of one Mahesh Raut, adjacent to the house of Chandra Shekhar Jha, maternal grand-father of the petitioner.

Learned counsel for the petitioner submits that admittedly nothing has been recovered from the possession of the petitioner. Neither the petitioner nor



the recovered motorcycle has been put on T.I. Parade.

Learned A.P.P. submits that petitioner's name sprang up in the connected case and on the basis of confession of co-accused persons, the stolen motorcycle had been recovered from the husk-heap of one Mahesh Raut which is situated near the house of maternal Grand-father of the petitioner.

Considering the nature of accusation based on suspicion and the investigation having 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, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 429 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, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 429 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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