

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20358 of 2020

Arising Out of PS. Case No.-65 Year-2020 Thana- SHERGHATI District- Gaya

AMARJEET KUMAR Son of Shankar Das Resident of Village- Bhararee,
P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Umeshanand Pandit

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 is not functional, due to present pandemic Covid-19, the present application has been listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of functioning of the court in physical mode.

If the defects are not removed within undertaken period, the office will again place the matter on board.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 12.02.2020, has preferred the present application for grant of



bail in a case registered for the offences punishable under Sections 379, 401, 414 and 411/34 of the IPC.

The prosecution case, as per the written report of S.H.O., Sherghati Police Station submitted to the learned ACJM, Sherghati is to the effect that on 10.02.2020 at about 11.30 P.M., the informant went to arrest the accused persons in connection with Sherghati P.S. Case No. 07 of 2020 and consequently, Rohit Kumar @ Golu Kumar, son of Arun Singh and Golu Kumar, son of Devnandan Prasad Gupta were apprehended and from their house, stolen TVS Apache motorcycle was recovered. Thereafter, the house of co-accused Bitu Kumar and Bhola were raided and from there, two Super Splendor motorcycles were recovered. Consequently, the house of co-accused Jiddi Kumar was raided from where, a Passion Pro motorcycle was recovered and from the house of the petitioner, two TVS Apache motorcycles were recovered, leading to registration of FIR.

It is submitted by learned counsel for the petitioner that out of two motorcycles, recovered from the house of the petitioner, one motorcycle is of the petitioner. The investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is accused in two other cases.



It is submitted by learned counsel for the State that stolen motorcycles were recovered from the house of the petitioner.

Considering the nature of accusation, period under custody and the investigation already being 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 the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati P.S. Case No. 65 of 2020.

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.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in



connection with Sherghati P.S. Case No. 65 of 2020.

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

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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