

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21513 of 2020

Arising Out of PS. Case No.-130 Year-2020 Thana- MADHEPURA District- Madhepura

Samit Kumar, aged about 20 years, male, son of Jay Kumar Yadav, Resident of Village - Routa, P.S.- Kumarkhand, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pawan Kumar, Advocate
For the State	:	Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-07-2020

Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately after the lockdown ends, and in any event within one month thereof.

2. The petitioner is in custody since 14.02.2020 in connection with Madhepura P.S. Case No. 130 of 2020 for the alleged offences under Sections 379, 411 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with theft of a motorcycle. The petitioner is not named in the FIR which has been instituted against unknown. The petitioner's name has transpired on the extra judicial confessional statement of co-accused Prashant Kumar, and there no objective material to connect the petitioner with the alleged occurrence. The stolen motorcycle has been recovered from the house of co-accused Vijay Kumar and not



from the conscious possession of the petitioner. Similarly situated co-accused Roshan Kumar has been granted bail by this Court in Cr. Misc. No. 21597 of 2020. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 14.02.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 130 of 2020, if he is not otherwise required in any other case.

6. Office shall ensure that all defects have been removed and compliance with the notices of this Court has been made, within the stipulated time as provided in para 1 hereinabove.

(Vikash Jain, J)

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