

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20965 of 2020**

Arising Out of PS. Case No.-608 Year-2019 Thana- TURKAULIYA District-
East Champaran

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Robin Kumar S/o Belash Mahto @ Belas Mahto Resident of Village-Rani
Chhapra, Dhanki Tola, P.S-Harsidhi, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar No.III, Advocate.

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 12-08-2020

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 27.08.2019 in
connection with Turkauliya (Banjariya) P.S. Case No. 608 of 2019
for the offences alleged under Section 379 of the Indian Penal
Code.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged theft of Hero Glamour
Motorcycle bearing Registration No. BR05X-1020 and a goat
belonging to the informant. It is submitted that the F.I.R. is
against unknown, and except suspicion, there is no objective
material to connect the petitioner with the alleged occurrence.
The motorcycle has been recovered from a bridge and not from
the conscious possession of the petitioner, as evident from the



seizure list.

4. Learned APP appears and opposes the bail petition, inviting reference to the order of the learned 14th Additional Sessions Judge, Motihari, East Champaran, observing on the basis of case diary that the motorcycle was recovered from the possession of the petitioner.

5. Be that as it may and having regard to the period of custody already suffered since 27.08.2019, 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, Motihari, East Champaran, in connection with Turkauliya (Banjariya) P.S. Case No. 608 of 2019, if he is not otherwise required in any other case, subject to the condition that the petitioner shall physically appear before the learned Court below as and when so required by it.

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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