

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24721 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- SITAMARHI District- Sitamarhi

Md. Sonu, Son of Md. Murtaja, Resident of Village- Soda Godam, Jail Chowk, P.S.- Mithanpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Jai Narayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Sitamarhi P.S. Case No.04 of 2020 registered for the offence punishable under Sections 413/414 and 34 of the Indian Penal Code.

Acting on a secret information that five persons had assembled for selling stolen motorcycle, the police officials



have reached there. On seeing the police, persons started fleeing. The petitioner was apprehended.

It is submitted by the petitioner's counsel that the petitioner was *bona fide* passerby and has been apprehended on suspicion. Recovery of stolen Glamour motorcycle and mobile phone is denied and disputed. Further, it is submitted that the petitioner has no criminal antecedents. He is in custody since 04.01.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi, in connection with Sitamarhi P.S. Case No.04 of 2020, subject to the following conditions:

- (i) 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 bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) 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.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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