

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22046 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- Punaure District- Sitamarhi

Avnish Kumar @ Chhotu, age about 22 years (M), Son of Ram Lakshan Rai,
Resident of Village –Ranjitpur East, P.S.- Punaure, District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 24-07-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Mahendra Thakur, learned counsel for the petitioner and Mr. Kalyan Shankar, learned Additional Public Prosecutor (hereinafter referred to as ‘APP’) for the State.

3. The petitioner is in custody in connection with Punaure PS Case No. 14 of 2020 dated 19.01.2020, instituted under Section 414 of the Indian Penal Code.

4. The allegation against the petitioner and two others is of stealing motorcycles for sale.

5. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated and has wrongly been shown to have been caught with the stolen motorcycle. It was further submitted that the recovery of two other motorcycles has been from the field of co-accused Hare Krishna Rai. Learned counsel submitted that the petitioner has no other criminal antecedent and is in custody since 20.01.2020.

6. Learned APP submitted that the petitioner is part of a gang which steals motorcycles for selling.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in Punaura PS Case No. 14 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in



the case and be present before the Court on each and every date.
Failure to cooperate or being absent on two consecutive dates,
without sufficient cause, shall also lead to cancellation of his
bail bonds.

8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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