

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24280 of 2020

Arising Out of PS. Case No.-677 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Bachcha Mukhiya Son of Late Ramnath Mukhiya Resident of Village-Siswa
Tola Bodhana, P.S.-Banjariya, District-East Champaran.

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under sections 379/411 of the Indian Penal
Code.

The informant lodged a case stating that he purchased
a motorcycle from one Santosh Kumar, but registration number
of the same was not transferred in his favour. In the meantime,
in the night of 6/7-10-2018 said motorcycle was stolen by
unknown miscreants. Informant's motorcycle has been
recovered by the side of house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Petitioner's name has come in the case on the confessional
statement of co-accused Raj Kumr Mukhiya, who has already
been allowed bail by this Court, as mentioned in paragraph 14



of the bail petition. Motorcycle of the informant has not been recovered from the possession of the petitioner. Petitioner has got no criminal antecedent. Petitioner is in custody since 17.2.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari in Turkauliya (Raghunathpur) Police Station Case No. 677/2018, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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