

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23578 of 2020

Arising Out of PS. Case No.-24 Year-2016 Thana- MEHANDIA District- Jehanabad

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RITESH KUMAR @ RITESH YADAV Son of Krishna Prasad @ Krishna
Yadav Resident of Village - Sagatpar, P.S.- Jehanabad, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No.2, Adv.
		Mr. Gajendra Kumar Singh, Adv
For the Opposite Party/s :		Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Manish Kumar No.2, learned counsel for

the petitioner and Mr. Nand Kumar, Additional Public

Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with
Mehendia PS Case No. 24/2016 registered for the offence
punishable under Section 379 of the IPC.

The allegation against the petitioner as per First
Information Report is that the informant had parked his truck
and had gone to attend call of nature and when he returned back,
his truck was stolen. Petitioner is not named in the First
Information Report.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and his name has transpired in this case on the basis of a confessional statement made by a co-accused, Kamlesh Paswan. Learned counsel for the petitioner further submits that co-accused, Kamlesh Paswan has been granted bail by this Court in Cr. Misc. No. 18737/2017.

Learned counsel submits that Kamlesh Paswan was also having criminal antecedents inasmuch as 10 cases were pending against him. Learned counsel further submits that no recovery has been made from the conscious possession of the petitioner and the petitioner was not put on test identification parade by the police and he is in custody for about a year, since 27.09.2019.

Learned counsel further submits that the confessional statement of the petitioner has also been recorded by the police in this case.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Kamlesh Paswan has already been granted bail by this Court, I am inclined to grant regular bail to the petitioner subject to the conditions that (1) one of the bailors must be near relative of the petitioner having sufficient immovable property residing within the territorial jurisdiction of



the court concerned and (2) petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

Accordingly, let the petitioner, RITESH KUMAR @ RITESH YADAV be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Mehendia PS Case No. 24/2016.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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