

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24938 of 2020

Arising Out of PS. Case No.-1094 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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KUMAR MONTY, aged about 24 years, Male, Son of Sri Ashok Kumar
Yadav, Resident of Village- Farish Lane Adampur, P.S.- Jagdishpur, District-
Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ranjeet Kumar, Advocate.

For the Opposite Party : Mr. Binod Kumar No. 3, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Sections 411, 413, 414 and 401 of
the I.P.C.

The prosecution case, in short, is that the informant



apprehended one co-accused Sujit Kumar and recovered one Mobile and three Motorcycles from his house. Sujit Kumar disclosed the name of this petitioner and other co-accused persons who are working in a Gang and used to steal the bikes from different places of Bhagalpur Town and used to sell them at different places including other district and used to pay commission to the Gang leader Chandan Kumar.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against him. The name of the petitioner has transpired in the present case on the disclosure made by co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no incriminating article is said to have been recovered from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds



of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Jogsar) P.S. Case No. 1094 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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