

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25284 of 2020**

Arising Out of PS. Case No.-94 Year-2018 Thana- RAJEPUR District- East
Champaran

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PRAMOD KUMAR S/o Shankar Bhagat R/o Village- Parsoniya, P.S.-
Rajepur, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Advocate
For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-11-2020 Heard learned counsel for the petitioner and learned

APP for the State through video conference. Learned counsel for
the petitioner undertakes that all defects pointed out by the
stamp reporter shall be removed, and compliance with the
conditions of the notices of this Court with regard to acceptance
of e-filing shall be made, without delay immediately upon
resumption of normal physical functioning of the Court, and in
any event within one month thereof. Learned counsel for the
State states that he has no objection in this regard and the matter
be taken up on merits in view of the stated urgency.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 356, 379 of the Indian Penal Code



registered in connection with Rajepur P.S. Case No. 94 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with theft of Rs. 1,54,770/- kept in a bag in the dicky of the informant's Star City motorcycle. It is submitted that no recovery of the stolen cash nor incriminating article has been made from the petitioner. Except suspicion, there is no objective material to connect the petitioner with the alleged occurrence. The petitioner's name has been dragged in this case on the basis of confessional statement of co-accused Rajendra Mahto who was apprehended in Rajepur P.S. Case No. 144 of 2018, in which the petitioner has also been made accused and in which he has been granted anticipatory bail.

4. Learned APP appears and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Sadar Motihari, East Champaran, in connection with Rajepur P.S. Case No. 94 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P.C., if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made



by the petitioner within the stipulated time provided in para-1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Vikash Jain, J)

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