

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25538 of 2020

Arising Out of PS. Case No.-409 Year-2019 Thana- CHHATAUNI District- East Champaran

PINTU KUMAR S/o Ragho Sahani Resident of Village-Wattganj, P.S.-
Piparakothi, East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-09-2020 . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Chhatauni PS Case No. 409 of 2019 registered under Sections 413 and 414 of the IPC.

The prosecution case is that the petitioner has been apprehended with a stolen motorcycle when the police had gone to



the spot to verify a secret information regarding assembly of miscreants.

It is submitted that the petitioner is an innocent bystander and the recovery is not from the petitioner. It is pleaded that it is a false implication and the petitioner has become victim of the circumstances. He has no criminal antecedent and is in custody since 17.9.2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Motihari, East Champaran in Chhatauni PS Case No. 409 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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