

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30344 of 2020**

Arising Out of PS. Case No.-542 Year-2019 Thana- KHAGARIA District- Khagaria

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MANNU KUMAR YADAV @ MANNU KUMAR Son of Late Jhaksu Yadav
Resident of Village- Bijli Grid Road Khagaria, P.S.- Muffasil Khagaria,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr Anil Kr Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 23-11-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

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

Heard learned counsel for the petitioner.

Mr Anil Kumar Singh, APP is appearing as it is submitted that the brief has been allotted to him by the Office of Advocate General.

At the very outset, petitioner's counsel submits that in paragraphs 1 and 10, due to typographical error, Section



397/399 of Indian Penal Code (for brevity, *IPC*) has wrongly been mentioned in place of Section 379 of *IPC*.

The petitioner seeks bail in Khagaria (Mufassil) Police Station (for brevity, *PS*) Case No 542 of 2019, GR No 2071 of 2019 instituted for the offence punishable under Section 379 of *IPC*.

The informant's motorcycle has been found missing from the place where he had parked it when he went to meet one Ranjit Ram. Petitioner's name has been taken before the police in the locality. It is submitted that the petitioner has falsely been implicated in this case. He has no criminal antecedent. Recovery of the motorcycle has been made from a different person at a different place with which the petitioner has no connection. He is in custody since 24.01.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Khagaria (Mufassil) PS Case No 542 of 2019, GR No 2071 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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