

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32046 of 2020

Arising Out of PS. Case No.-96 Year-2020 Thana- BALIYA District- Begusarai

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Dhiraj Kumar @ Dhiraj Kumar Yadav S/o Paro Yadav @ Parmanand Yadav
R/O - Vill.- kishan Pur Diara- Parmanandpur, P.S. - Ballia, Dist. - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 09-12-2020 Learned counsel of the petitioner assures this court that he shall remove the defects, as pointed out by the office, within four weeks from the date when the court starts physical function.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conference.

Petitioner is languishing in jail custody since 18.04.2020 in connection with Ballia P.S. Case No. 96 of 2020 registered for the offences punishable under Sections 414/34 of the Indian Penal Code.

Petitioner and one other accused are said to be caught by the police with stolen motorcycle but at para 9 of the



petition, it has specifically been pleaded that seized motorcycle belonged to distant relative of the petitioner and the above stated relative of the petitioner had given the aforesaid motorcycle to petitioner. Moreover, petitioner does not have any criminal antecedent and is in jail custody since long.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail provisionally till removal of the defects, as pointed out by the office, 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, Begusarai in connection with Ballia P.S. Case No. 96 of 2020.

It is made clear that if the defects, as pointed out by the office, are removed within the above stated period, the provisional bail of the petitioner shall be deemed to be confirmed.

(Hemant Kumar Srivastava, J)

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