

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64998 of 2019

Arising Out of PS. Case No.-318 Year-2018 Thana- MAHESI District- East Champaran

Jitendra Rai Son of Mahendra Rai Resident of Village-Vaishali (Sisbanni),
P.S.-Vaishali, District-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Mehsi P.S. Case No. 318 of 2018 G.R. No. 6283 of 2018**, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

Informant alleged that on 07.09.2018 at 5.23 p.m. he received call from mobile no. 7350313679 on his mobile, the caller disclosed his name, as Vikash Kumar and called the informant to Mangrahi Bazar on the pretext of purchasing his Bullet motorcycle. Informant went there and Vikash Kumar took his motorcycle for test drive, but he did not return.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case on mere suspicion. Petitioner is not named in the FIR. The



said motorcycle was recovered from the possession of Santosh Kumar. Nothing has been recovered from possession of this petitioner. In fact, during course of investigation, the petitioner was arrested by the police in connection with Kudhani P.S. Cae No. 552 of 2018 and from his possession one mobile having SIM no. 9534932957 and SIM no. 7350313679 have been recovered and from the call details, it has come that this petitioner had talked with the informant. No test identification parade has been held till date. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner. Petitioner is in custody since 30.05.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate 6th, Motihari, East Champaran** in connection with **Mehsi P.S. Case No. 318 of 2018 G.R. No. 6283 of 2018**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

