

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77214 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- HARSIDHI District- East Champaran

=====

MUKESH KUMAR MAHTO @ MUKESH KUMAR S/o Sukham Mahto R/o
village- Singhiya Hiban, P.S.- Banjaria, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Harsidhi P. S. Case No. 76 of 2019** instituted for the offence under Section(s) 379 of the Indian Penal Code.

When the informant awoke on 27.02.2019, he found the two motorcycles earlier parked in his newly half constructed house missing. The same gave rise to the instant prosecution



which was instituted against unknown persons.

The petitioner has been implicated on the statements of other two co-accused persons, namely, Dharmendra Kumar and Kumesh Kumar. It is the submissions of the petitioner's counsel that other than the confessional statements of co-accused persons, there is nothing to connect the petitioner with the alleged offence. No recovery whatsoever has been made from the petitioner and, merely on suspicion, he has been remanded in the instant case while he was in custody in connection with Harsidhi P. S. Case no. 97 of 2019. The petitioner, in the instant case, is in custody since 16.07.2019.

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

Considering the aforesaid, let the petitioner, above named, be released 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 **Chief Judicial Magistrate, East Champaran at Motihari**, in connection with **Harsidhi P. S. Case No. 76 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)

shyambihari/-

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

