

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86130 of 2019

Arising Out of PS. Case No.-246 Year-2019 Thana- PIPRA District- East Champaran

Madhu Kumar, Son of Yogendra Prasad @ Yogendra Sah, Resident of Village - Bediban, Madhuban Damodarpur, P.O. and P.S. - Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-01-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Pipra P.S. Case No. 246 of 2019, registered under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is not named in the FIR but in course of investigation, one witness, whose statement as detailed in paragraph 19 of the case diary, disclosed that this petitioner and one Vikash Kumar were seen in Sareh market searching the buyer to purchase the stolen motorcycle. Further submission is that while it is detailed in the impugned order dated 23.11.2019 passed in BP No. 1755 of 2019, whereby the prayer for bail of the petitioner is rejected



by the court of 11th Additional Sessions Judge, Motiari, East Champaran, that looted motorcycle is recovered from possession of the petitioner but the said fact is wrongly typed because the seizure list, which is attached with FIR, clearly indicates that looted motorcycle was from recovered Sareh in village Damodarpur. Further submission is that petitioner has no criminal antecedent and is in custody since 28.08.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipra P.S. Case No. 246 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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