

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83646 of 2019**

Arising Out of PS. Case No.-350 Year-2019 Thana- FORBESGANJ District- Araria

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VIVEK KUMAR JHA @ BIBEK KUMAR JHA @ BAUWA JHA Son of Ajit
Jha Resident of Village - Belay Pothiya, P.S. - Simraha, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mrs.Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-01-2020 Heard learned Counsel for the petitioners and the learned
APP for the State.

The petitioner seeks bail in Forbesganj PS Case No.
350 of 2019 registered under Section 379 of the IPC.

The FIR alleges that 8.6 lacs rupees along with ATM
card, cheque book pass book and driving licence are missing from
the informant's motor cycle. The FIR is against unknown persons. It
is submitted that the occurrence has been captured by the CCTV.

Petitioner's Counsel submits that he has no connection
with the theft. It is submitted that merely because of his implication
in earlier cases he has been implicated in this case only upon his
confessional statement. It is specific assertion of the petitioner that
the CCTV footage of the ATM, where the motorcycle was parked,
has not been obtained by the police till today. Charge-sheet has been
submitted and the petitioner in connection with this case is in custody
since 4.9.2019.

APP has opposed the prayer.

Considering the aforesaid submissions the petitioner's
prayer for bail is allowed.



Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Araria in Forbesganj PS Case No. 350 of 2019 on 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 in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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