

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84259 of 2019**

Arising Out of PS. Case No.-454 Year-2019 Thana- KOTWALI District-
Munger

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SHIVAM KUMAR Son of Shankar Mandal Resident of Village-Sitarampur
Tola, Farda, P.S.-Nayaramnagar, District-Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party/s: Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 17-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 09.11.2019 in connection with Kotwali P.S. Case No. 454 of 2019 for the offences alleged under Sections 379, 411 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of allegedly stolen motorcycle from the petitioner. It is submitted that as a matter of fact, the petitioner had purchased the subject motorcycle from one Amarjeet Kumar @ Raj pursuant to a sale agreement dated 06.11.2019 (Annexure-4). It is further submitted that no other case under Section 379 IPC relating to theft of the seized motorcycle has been lodged by anyone. The petitioner claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Kotwali P.S. Case No. 454 of 2019 corresponding to G.R. No. 2788 of 2019, on the following conditions-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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