

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86385 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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SOLANKI KUMAR Son of Girdhari Yadav @ Girdhar Yadav Resident of
Village - Chharapatti, Raghunathpur, P.S.- Sahebpur Kamal, District –
Begusarai. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Sahebpur Kamal P.S. Case No. 312 of 2019 registered for the offences punishable under Sections 413, 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the alleged motorcycles have not been recovered from possession of this petitioner rather the same have been recovered from possession of co-accused Manish Kumar and Raju Kumar. It is further submitted that co-accused Alok Kumar from whose possession one motorcycle was recovered has been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No.



83810 of 2019 and the petitioner is in custody since 23.10.2019 having no criminal antecedent.

Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the motorcycles which have been allegedly recovered from the premises of the petitioner have been found in possession of the co-accused Manish Kumar and Raju Kumar and further submission that the co-accused Alok Kumar from whose possession one motorcycle was recovered has been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 83810 of 2019 and the petitioner is in custody since 23.10.2019 having no criminal antecedent, let the petitioner above named be released on bail in connection with Sahebpur Kamal P.S. Case No. 312 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Spl. Judge, Excise Act, Begusarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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