

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5286 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- KATRA District- Muzaffarpur

Maya Shankar Kumar Thakur @ Golu @ Maya Shankar Thakur, Son of
Manoj Kumar Thakur, Resident of Village - Ratanpur, P.S.- Kamtaul, Distt.-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 23-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
11.09.2019 in a case registered for the offence punishable under
Section 379 of the Indian Penal Code, hence, the prayer for bail
has been made through the present application.

The prosecution case, as per the written report of
Ganesh Kumar Sah submitted to the Station House Officer,
Katra P.S., is to the effect that on 05.09.2019, the informant
went to participate in some worship theft was committed of the
petitioner's motorcycle, leading to registration of the case
against unknown. During investigation, a confidential



information was received that someone is standing near Bharwara market, consequently, the motorcycle was seized and petitioner was arrested.

It is submitted by learned counsel for the petitioner that the motorcycle was parked near Bharwara market and from there it was recovered and petitioner has maliciously been roped in the present case. The investigation has already been concluded and a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the possession of the petitioner.

Considering the nature of recovery and the fact that investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned A.C.J.M. - cum- Sub-Judge- 15th, Muzaffarpur in connection with Katra P.S. Case No. 216 of 2019.

However, in view of the present pandemic COVID-



19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned A.C.J.M. -cum- Sub-Judge – 15th, Muzaffarpur in connection with Katra P.S. Case No. 216 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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