

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 86817 of 2019**

Arising Out of PS. Case No.-471 Year-2019 Thana- KORHA District- Katihar

SANTOSH SHARMA Son of Ghanshyam Sharma Resident of Village -
Bakhari, P.S.- Pothiya (Falka), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **17-01-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Korha Police Station (for
brevity, *PS*) Case No 471 of 2019 instituted for the offence
punishable under Section (s) 379/34 of Indian Penal Code.

The instant petitioner is said to have been arrested while
another co-accused has succeeded in fleeing away with the
motorcycle of the informant. It is submitted by petitioner's
counsel that the co-accused, who is said to have fled away with
the motorcycle, has already been allowed bail by the Court
below itself. Having no criminal antecedent, the petitioner has
been implicated in this case merely on suspicion as he was a
bona fide passerby. He is in custody since 15.11.2019.



Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Korha PS Case No 471 of 2019 subject to 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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