

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12256 of 2021**

Arising Out of PS. Case No.-130 Year-2020 Thana- MADHEPURA District- Madhepura

Gurudeo Kumar S/O Vidyanand Ram R/O Mohalla-Gosai Tola, Ward No. 05,
P.S Madhepura, District-Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Uday Chand Prasad, Advocate
For the Opposite Party : Mr. Kalyan Shankar A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-06-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 379/411 of the Indian Penal Code.

As per the prosecution case, some unknown miscreants committed theft of the informant's motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. His name has come in the case on the confessional statement of co-accused Vijay Kumar from whose house



motorcycle in question was recovered. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner has claimed clean antecedent and he is in custody since 17.10.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that No incriminating material has been recovered from the conscious possession of the petitioner and petitioner has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in Madhepura Police Station Case No. 130 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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