

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12330 of 2021

Arising Out of PS. Case No.-152 Year-2019 Thana- PARIHAR District- Sitamarhi

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AMIT KUMAR Son of Raj Kishore Mahto Resident of Village - Sirsiya, P.S.-
Bela, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under sections 379 and 414/34 of the Indian Penal Code.

As per prosecution case, while the informant was on petrolling duty, on suspicion informant arrested one accused who was trying to steal motorcycle and he disclosed the name of the petitioner who fled away after seeing the police.

It is submitted on behalf of the petitioner that name of the petitioner has come on the confessional statement of co-accused Deepak Kumar. Nothing has been recovered from the possession of the petitioner. It is further stated that during course of investigation, it has come that one Md. Ekbal Ansari claims to be owner of the



vehicle and stated before the police that due to flood, owner book of the said motorcycle has been missing and hence, he did not lodge the case. Petitioner is in custody since 14.05.2020. Charge sheet has already been submitted.

Considering the fact that name of the petitioner has come on the basis of confession of co-accused and no motorcycle was recovered from his possession, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Parihar P.S. Case no. 152/2019 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 canceled 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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