

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13080 of 2021

Arising Out of PS. Case No.-309 Year-2020 Thana- CHAPRA TOWN District- Saran

Biru Mahto @ Viru Mahto, Son of Vishwakarma Mahto @ Vishwakarma Singh, Resident of Mohalla - Bichla Tola, P.S. - Chapra Town, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-07-2021 The matter has been taken up today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with Chapra Town P.S. Case No.309 of 2020 registered for the offence punishable under Sections 414, 420, 467, 468 of the Indian Penal Code.

For recovery of stolen vehicles, one Vicky Kumar



Gupta was arrested. Upon his disclosure, several places have been raided and one stolen vehicle has also been recovered from the road in front of the petitioner's house.

It is submitted by the petitioner's counsel that recovery is not from his possession or from his property. Even as per the materials forming the basis of his implication, his implication is only on the fact that that earlier he had been implicated in ten cases. In this case, the petitioner is in custody since 11.08.2020. Other co-accused similarly situated as the petitioner have been allowed bail in Cr.Misc. Nos.5184 of 2021, 10211 of 2021 and 32001 of 2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 learned Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra Town P.S. Case No.309 of 2020, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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