

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13100 of 2021

Arising Out of PS. Case No.-575 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

VIVEK KUMAR @ GANDHI SON OF SRI KRISHNA RAM R/o village-
Barahuli, P.S.- Mohania, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned

APP for the State.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings regarding

supply of requisite court fee etc. within two weeks from the date

he is called upon to do so by the office.

Petitioner seeks bail in Bhabhua PS Case No. 575 of

2019, registered under Sections 401, 413, 414, 420, 467, 468, 34

of the Indian Penal Code.

There is recovery of one red coloured motorcycle from

co-accused Chandan Kumar and Ashutosh Kumar. They have



implicated three other persons as being party in the regular sale of stolen vehicles, namely, Pankaj, Prince and the instant petitioner.

Learned counsel for the petitioner submits that petitioner was acquainted with the co-accused persons who were apprehended and therefore he has been dragged into this case. Petitioner has no criminal antecedent. There is no recovery of any stolen motorcycle from his possession and only on based on statement of one garage owner that the petitioner had sent the motorcycle for repair to his garage, he was taken into custody and is in jail since 04.06.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Chief Judicial Magistrate, Bhabhua (Kaimur) in Bhabhua PS Case No. 575 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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