

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14897 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- GORAUL District- Vaishali

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BINOD BAITHA @ VINOD BAITHA S/o Devendra Baithat R/o Village-
Kadilpura, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-09-2021 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 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 connection with Goraul P.S. Case No. 342 of 2020 registered under Sections 413, 414 and 34 of the Indian Penal Code.

One stolen motorcycle has been recovered and three



persons including the petitioner have been apprehended.

It is submitted by learned counsel for the petitioner that petitioner has become victim of the circumstances. He has no concern with the motorcycle in question. Because of his criminal antecedents, in four cases since before, as per disclosure made in para 3, he has been implicated in this case also. He is in jail in connection with this case since 11.9.2020. One similarly situated co-accused Kailash Sahani has been allowed bail vide order dated 18.8.2021 passed in Cr. Misc. No. 19364 of 2021.

Learned APP has submitted that the petitioner was apprehended with the stolen motorcycle.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. 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 learned A.C.J.M.-I, Vaishali at Hajipur in Goraul P.S. Case No. 342 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.

(Madhuresh Prasad, J)

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