

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18115 of 2021**

Arising Out of PS. Case No.-694 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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AMIT KUMAR SON OF RAMCHANDRA RAM RESIDENT OF
VILLAGE- AMBEDKAR NAGAR CALONY, BASWARIYA, WARD NO.
31, P.S.- BETTIAH TOWN, DISTRICT-WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr Umesh Lal Verma, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 25-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Gaighat PS Case No 341
of 2020 dated 18.10.2020 instituted for the offence punishable
under Section 414 of Indian Penal Code.

Petitioner allegedly abandoned the motorcycle which
he was riding on being accosted by the police personnel where
after he has been arrested.

It is submitted by the petitioner's counsel that the
petitioner was a bona fide purchaser of the motorcycle,
oblivious of the fact that the same was a stolen motorcycle. The



fact that the same was stolen is yet to be ascertained. He is in custody since 27.10.2020 and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (T) PS Case No 694 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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