

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18646 of 2021**

Arising Out of PS. Case No.-234 Year-2020 Thana- KATRA District- Muzaffarpur

Kamlesh Kumar, S/O Devendra Kumar Ray @ Devendra Kumar Rai, R/O
Premnagar Bhalura, P.S- Aurai, District- Muzaffarpur -843312

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 29-10-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

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

The petitioner seeks bail in connection with Katra
P.S. Case No.234/2020/G.R. No.4386/20 registered for the
offence punishable under Section 414/34 of the Indian Penal
Code.

The petitioner has been apprehended on a stolen
motorcycle.

Counsel for the petitioner submits that the
motorcycle was actually of Lalu Thakur and he was riding on
the same with Lalu Thakur who has fled away, and the
petitioner has become a victim of circumstance oblivious of the



fact that the motorcycle in question was a stolen one. Having no criminal antecedents, as per the disclosure made in paragraph 3 of the bail petition, he is in custody since 11.10.2020.

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

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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Arti Kumari, learned Judicial Magistrate-1st Class, Muzaffarpur (East), in connection with Katra P.S. Case No.234/2020/G.R. No.4386/20, 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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