

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21872 of 2021**

Arising Out of PS. Case No.-459 Year-2020 Thana- PAHARPUR District- East Champaran

Sunny Yadav @ Sunny Kumar Yadav Son Of Late Bacha Yadav R/V
Puliakhanda, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Paharpur (Malahi) P.S.

Case No. 459 of 2020, registered for the offence punishable

under Sections 413, 411 of the Indian Penal Code.

As per the prosecution case, this petitioner was

arrested with a stolen motorcycle.

It is submitted on behalf of the petitioner that

petitioner has falsely been implicated in this case and the said

recovery was not from possession of this petitioner rather the

same was parked by the side of road in abandoned condition.

Petitioner is working nearby the petrol pump who has been



apprehended by the police. Petitioner claims clean antecedent and he is in custody since 15.12.2020. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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, Motihari (East Champaran) in connection with Paharpur (Malahi) P.S. Case No. 459 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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