

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38133 of 2021

Arising Out of PS. Case No.-859 Year-2020 Thana- NAGAR District- Vaishali

Deepak Kumar, S/o Dinesh Ram, R/o Village-Bakhari Barai, P.S.- Raja Pakar,
District- Vaishali (Hajipur).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Hajipur
Town P.S. Case No.859 of 2020 registered for the offence
punishable under Sections 392 and 411 of the Indian Penal
Code.

The prosecution case is that three persons on a
motorcycle have dashed into the informant's motorcycle,
whereafter they have taken away the informant's motorcycle.

The petitioner's Counsel submits that the stolen
motorcycle was recovered from co-accused Sonu Kumar. On
confessional statement of Sonu Kumar, petitioner has been
implicated, though there is no recovery of any incriminating
article from the petitioner. The petitioner is in custody since



08.01.2021 and he is on bail in the earlier case pending against him, i.e., Tajpur P.S. Case No.272 of 2017.

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 learned Additional Chief Judicial Magistrate, Hajipur, Vaishali, in connection with Hajipur Town P.S. Case No.859 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.

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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