

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40232 of 2021**

Arising Out of PS. Case No.-710 Year-2019 Thana- SARAIYA District- Muzaffarpur

Mithilesh Kumar @ Mithilesh Bhagat S/o Narayan Bhagat @ Ram Narayan Bhakt Resident of Village- Lalpura, Buddha Tola, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Nitu Kumari

For the Opposite Party/s : Mrs.Suman Kumari Singh

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

2. 07-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Saraiya P.S. Case No. 710 of 2019, registered for the offence under Section 392 of the Indian Penal Code.

As per the prosecution case, while the informant was going on his motorcycle, two motorcycles riders overtook him and snatched his motorcycle.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation in the confessional statement of co-accused Arjun Sahani. No incriminating article has been recovered from the possession of the petitioner. Till date, petitioner has not been put on T.I.P. and he is in custody since 09.02.2021.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 A.C.J.M. IV west, Muzaffarpur in connection with Saraiya P.S. Case No. 710 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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