

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41454 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- ARER District- Madhubani

Shambhu Yadav S/O Vijay Yadav @ Vijay Chandra Yadav R/O Village-
Singhwara, P.S.- Arer, District- Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Shaheen Begum, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 379 of the Indian Penal Code.

As per the prosecution case, informant's motorcycle was stolen by some unknown miscreants.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR and his name has figured during course of investigation in confessional statement of co-accused. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 6.2.2021.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the rival submissions of the parties, let the petitioner, mentioned above, 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 Additional Chief Judicial Magistrate, Bennipati, Madhubani in Arer Police Station Case No. 140 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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