

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41252 of 2021**

Arising Out of PS. Case No.-66 Year-2021 Thana- CHANDAN District- Banka

Milan Mistry @ Mithilesh Vishwkarma Son of Late Balo Mistry Resident of
Village- Telodih, P.S.- Dhanwar (Gorthamba), District- Giridih (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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

2. 22-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Chandan (Anandpur) P.S.
Case No. 66 of 2021, registered for the offence under Section
379 of the Indian Penal Code.

As per the prosecution case, the stolen tractor was
recovered from the garage of this petitioner.

It is submitted on behalf of petitioner that recovery
has been made from behind the garage of the petitioner and
nothing has been recovered from the conscious possession of
the petitioner. Petitioner has got clean antecedent and he is in
custody since 27.05.2021. Investigation is complete.

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 C.J.M., Banka in connection with Chandan (Anandpur) P.S. Case No. 66 of 2021, 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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