

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34733 of 2020

Arising Out of PS. Case No.-130 Year-2020 Thana- MADHEPURA District- Madhepura

PRASHANT KUMAR, aged about 20 years, Sex-Male, Son of Jai Kumar Yadav, Resident of Village-Kaushalpur, Police Station-Murliganj, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Section 379 of the I.P.C. Later on, Section 411 of the I.P.C. was also added.

The prosecution story, in brief, is that the informant Santosh Kumar had parked his Motorcycle in lane of his house on 12.02.2020 at 8.00 P.M. in night and went to his house and when he came outside the house at 8.20 P.M. he did not find his Motorcycle. The informant made suspicion that his Motorcycle



was stolen by unknown person.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 14.01.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the basis of secret information. The source of secret information has not been disclosed by the prosecution. There is no recovery of any incriminating article from possession of the petitioner. The recovery of stolen Motorcycle is said to have been made from the house of co-accused, namely, Vijay Kumar. Other co-accused have been granted bail by other co-ordinate Bench of this Court as well as by this Court vide Cr. Misc. No. 21513 of 2020 under order dated 22.07.2020 and Cr. Misc. No. 21597 of 2020 under order dated 24.06.2020.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released



on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 130 of 2020.

(Sudhir Singh, J)

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