

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36824 of 2020

Arising Out of PS. Case No.-70 Year-2020 Thana- NARAINPUR District- Bhojpur

Rahul Kumar @ Daroga, Son of Yugal Singh, Resident of Village - Dumariya,
Police Station -Agion (G), District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Narayanpur P.S. Case No.70 of 2020 for the offence punishable
under Section 414/34 of the Indian Penal Code.

One motorcycle is alleged to have been recovered from
three persons who were trying to sell the stolen motorcycle.

Counsel for the petitioner submits that the petitioner
is not one of the three persons and his implication is on account
of the statement of the person who has been apprehended with
the motorcycle. Such statement has no evidentiary value, having
recorded in police custody. The petitioner is in custody since
20.08.2020 and has no criminal antecedents.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Narayanpur P.S. Case No.70 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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