

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37273 of 2020

Arising Out of PS. Case No.-205 Year-2020 Thana- CHAUTHAM District- Khagaria

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AMIT KUMAR S/O Sato Yadav @ Satto Yadav R/O VILLAGE -
PIRANGRA , P.S.-BELDOUR DISTRICT - KHAGARRIA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Part

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Bal Mukund Pd. Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-02-2021 At the very outset learned Counsel for the petitioner submits that Section 356 IPC has been mentioned as 365 in para 1 which is a typing error.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Choutham PS Case No. 205 of 2020 registered under Section 365, 379 and 411 of the IPC.

The petitioner is alleged to have taken away the motorcycle which has subsequently been found parked near Pir Nagra Chowk. The allegation is that the petitioner was standing near the bike.

It is submitted by learned Counsel for the petitioner that the petitioner is victim of the circumstances. Recovery is not in accordance with Section 100 Cr.P.C. He has not been put on T.I.Parade till date and his implication is solely on the basis of



suspicion. The petitioner has no criminal antecedent and he is in custody since 8.8.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Khagaria in Choutham PS Case No. 205 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.

(Madhuresh Prasad, J)

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