

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2271 of 2021**

Arising Out of PS. Case No.-140 Year-2020 Thana- TRIVENIGANJ District-
Supaul

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ARJUN KUMAR YADAV@ ARJUN KUMAR SON OF CHANDESHWARI
YADAV RESIDENT OF VILLAGE- PRATAPPUR BARAHKURWA WARD
NO 04, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Pawan Kumar, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 03-06-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Triveniganj Police Station (for
brevity, *PS*) Case No 140 of 2020 instituted for the offence
punishable under Sections 413, 414, 420/34 of Indian Penal
Code.

The recovery of stolen motorcycle from the house of co-
accused Mohan Kumar Paswan has led to implication of the
petitioner based on statement of Mohan Kumar Paswan that he
purchased the stolen motorcycle from the petitioner.



Submission is that implication on the basis of statement of co-accused is not sustainable in the eyes of law. The petitioner, having no criminal antecedent, is in custody since 13.06.2020. It is further submitted that co-accused Mohan Kumar Paswan, on whose statement, petitioner has been implicated in this case, has already been allowed bail by this Court in Cr Misc No 31679 of 2020.

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

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Supaul in connection with Triveniganj PS Case No 140 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.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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