

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39537 of 2020

Arising Out of PS. Case No.-173 Year-2020 Thana- BUDDHACOLONY District- Patna

Mukesh Kumar, Son of Sri Raghunath Roy, Resident of Mohalla - Pani Tanki
- 2, Kidwaipuri, P.N.T. Colony, P.S.- Budha Colony, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Damodar Prasad Tiwary, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Budha
Colony P.S. Case No.173 of 2020 for the offence punishable
under Section 414/34 of the Indian Penal Code.

The allegation is that the petitioner was caught with
a stolen motorcycle on the road.

Petitioner's counsel submits that the petitioner was a
bona fide rider on the motorcycle and he had no knowledge
about the same being stolen. He has no criminal antecedents and
that he has become a victim of circumstances. The petitioner is
in custody since 30.07.2020.

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 A.C.J.M.-II, Patna, in connection with Budha Colony P.S. Case No.173 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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