

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39418 of 2020**

Arising Out of PS. Case No.-190 Year-2020 Thana- HUSSAINGANJ District- Siwan

DILIP KUMAR SINGH @ DILIP KUMAR Son of Banshilal Singh Resident
of Village - Bindawal Rasoolpur, P.S.- Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ashwani Kumar Tiwary, Advocate
For the Opposite Party/s : Ms Sangeeta Sharma, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 04-03-2021 Heard learned senior counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Hussainganj Police
Station (for brevity, PS) Case No 190 of 2020 instituted for the
offence punishable under Section 392 of Indian Penal Code.

Three unknown persons have allegedly stopped the
petitioner. One have taken away the motorcycle and two have
fled away.

It is submitted by the petitioner's counsel that the
alleged recovery of the motorcycle from near the petitioner's
house is not sufficient to implicate him in this case. After his
implication in this case, he has been remanded in Hussainganj
PS Case No 197 of 2020. He is in custody since 01.08.2020.
The petitioner resides in a joint family property and even if
recovery from near the house is accepted, the petitioner cannot
be held liable for the same.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is
allowed. 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 Additional Chief Judicial Magistrate XIII, Siwan in Hussainganj PS Case No 190 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./-

U		T	
---	--	---	--

