

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.679 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- KALUAHI District- Madhubani

1. Subhash Kumar Yadav Son of Badarinarayan Yadav Resident of Village - Mohanpur, P.S.- Harlakhi, Distt.- Madhubani.
2. Anshu Kumar Thakur Son of Rambharosh Thakur Resident of Village - Bithar, P.S.- Harlakhi, Distt.- Madhubani.
3. Ritik Kumar Kamat Son of Binod Kamat Resident of Village - Umgoun, P.S.- Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Advocate
For the State	:	Mr. Yogendra Kumar Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-02-2021 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioners seek bail in Kaluahhi P. S. Case No 48 of 2020 instituted for the offence under Sections 414,467,468, 471 and 34 of the Indian Penal Code.

The three petitioners have allegedly been arrested along with a stolen motorcycle.

The learned counsel for the petitioners submits that it is a case of false implication. There is criminal antecedents only of petitioner No 1 in Harlakhi PS case No 250 of 2019. Petitioner Nos 2 and 3 bear a clean past. The petitioner No.1 had



purchased the motorcycle from an acquaintance, namely, Dipu Yadav, for a consideration of Rs. 8,000/- and had no inkling that it was a stolen motorcycle, otherwise he would not have riding the same. The petitioners are in custody since 05.04.2020.

Learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-1st, Madhubani, in connection with Kaluahi P. S. Case No 48 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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