

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40737 of 2020

Arising Out of PS. Case No.-161 Year-2020 Thana- NAUTAN District- West Champaran

Pappu Kumar aged about 22 years Son Of Late Ramjatan Bhagat @ Ramjatan
Mali Resident Of Village - Pandey Tola, P.S.- Nautan, Distt.- West
Champaran. ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the parties.

Petitioner seeks regular bail in Nautan P.S. Case No.
161 of 2020, lodged under sections 413, 414 of the Indian Penal
Code.

On secret information that some criminal with stolen
motorcycles had assembled at a place, police conducted raid.
Two persons were apprehended including the petitioner and the
two motorcycles were recovered. It is alleged that the persons,
who were apprehended disclosed to the police that the
motorcycles were stolen.

Learned counsel appearing on behalf of the petitioner
has submitted that there is no material to suggest that the
motorcycles, which were recovered by the police were stolen
one. Petitioner has got no criminal antecedent as stated in
paragraph 3 of the bail petition. Petitioner is in custody since
22.5.2020. Similarly situated co-accused Mithilesh Kumar has
already been allowed bail by a co-ordinate bench of this Court



vide order dated 7.12.2020, passed in Cr.Misc.No. 32283/2020.

Considering the fact and circumstances and particularly the fact that the petitioner is in custody since 23.05.2020, this application is allowed. 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 Chief Judicial Magistrate, Bettiah, West Champaran in Nautan P.S. Case No. 161 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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