

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40989 of 2020**

Arising Out of PS. Case No.-31 Year-2019 Thana- TEKARI District- Gaya

VISHAL KUMAR, Son of Bhim Prasad Resident of Village- Deodharpur,
P.S.- Tekari, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 29.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Tekari P.S. Case no. 31 of 2019, registered under Section 379 of the Indian Penal Code.

The accusation is that bullet motorcycle bearing registration No. BR02AD-6339 of informant Neeraj Kumar was parked in front of his house situated near Raj School, but, when informant woke up, in the morning, he did not find his said bullet motorcycle. The informant raised suspicion against



Samar Kumar, Vishal Kumar (Petitioner), Ritik Kumar and Bittu Kumar having hand in the theft of his aforesaid motorcycle.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the name of petitioner has surfaced in the F.I.R. mere on suspicion. Later on, the I.O managed to implicate the petitioner showing his name in the confessional statement of co-accused Prince Kumar. Further submission is that, in fact, petitioner is accused in three cases, as detailed in para-03, but he is on bail in that cases, due to that reasons, he has falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 31 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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