

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2263 of 2021

Arising Out of PS. Case No.-370 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Sunil Kumar Singh aged about 35 years, Male, Son of Yogendra Singh
Resident of Village - Harihas, P.S. - Husainganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal Sr. Adv. Mr. Preety Kunwar Adv
For the Opposite Party/s : Mr. Navin Kumar Pandey APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 02-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned senior counsel for the petitioner and learned counsel for the State

3. Learned senior counsel for the petitioner is expected to honour 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 to do so by the office.

4. The petitioner seeks bail in Muffasil P. S. Case No. 370 of 2020, instituted for the offence under Sections 414, 467, 468 and 471 of the Indian Penal Code.

5. The prosecution case is that the police was informed regarding likelihood of an offence being committed by the petitioner who was wanted as an accused in Muffasil PS Case No. 349 of 2020. The petitioner has been apprehended and it is alleged that after he was apprehended his statement was



recorded leading to recovery of six stolen vehicles.

6. The learned senior counsel for the petitioner submits that the allegation is likelihood of commission of offence which never took place. The vehicles, which have been recovered, are the vehicles which formed the basis of six cases lodged against the petitioner. It is further submitted that the alleged recovery, based on the confessional statement of the petitioner, is unsustainable in the eyes of law. Out of the three cases, which are pending against the petitioner, he is on bail in two cases. In the instant case, he is in custody since 21.08.2020.

7. The learned APP has appeared and opposed the prayer for bail. It is submitted that vehicles have been recovered on the petitioner's disclosure.

8. Considering the rival submissions, 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 **CJM Siwan**, in connection **Muffasil P. S. Case No. 370 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.

(Madhuresh Prasad, J)

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