

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 4507 of 2021**

Arising Out of PS. Case No.-293 Year-2020 Thana- PUPRI District- Sitamarhi

VIKASH KUMAR JHA S/o Lalan Jha @ Pandit Jee R/o Village- Singiyahi
Road Ward NO. 11, P.S.- Pupri, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sanjay Kumar, Advocate
For the Opposite Party/s : Mr Choubey Jawahar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 26-07-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor (for brevity, *APP*) for the
State of Bihar.

The petitioner seeks bail in Pupri Police Station
(for brevity, *PS*) Case No 293 of 2020 instituted for the offence
punishable under Section 379 of Indian Penal Code.

Informant's motorcycle has been stolen. Allegation
is against unknown persons.

Learned counsel for the petitioner submits that it is a
case of false implication. The petitioner's implication is based
on recovery of the stolen motorcycle on the petitioner's alleged



confessional statement. It is further submitted that the recovery (seizure list) however is not in accordance with law. Petitioner has no criminal antecedent and he is in custody since 07.10.2020.

Learned APP has opposed the prayer for bail. It is submitted that the recovery of the motorcycle, as per the case diary, is based on the petitioner's confessional statement.

Considering the aforesaid, 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 Sub Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Pupri PS Case No 293 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	
---	--	---	--

