

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4995 of 2021**

Arising Out of PS. Case No.-61 Year-2020 Thana- TARABARI District- Araria

=====

ARVIND MANDAL @ ARVIND KR MANDAL SON OF LATE BIJENDRA  
MANDAL VILLAGE- KACHMOH WARD NO. 05, POLICE STATION-  
PALASI, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.A.G.

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      26-03-2021                      Heard both parties.

The petitioner seeks bail in Tarabari P.S. Case No. 61  
of 2020, registered for the offence punishable under Sections  
379, 413, 414/34 of the Indian Penal Code.

As per the prosecution case, this petitioner and other  
accused persons are alleged to have indulged in committing  
theft of motorcycle and used to sale it to others persons. Seven  
motorcycles were recovered by the informant (Mukhiya) and he  
handed over to the police and petitioner is alleged to be one of  
the sellers of stolen motorcycle.

It is submitted on behalf of the petitioner that no  
stolen motorcycle has been recovered from possession of this  
petitioner. Petitioner was not apprehended on the spot. He has  
been made accused only on the basis of statement of informant.



FIR has been lodged after delay of ten days without any plausible explanation. Petitioner is in custody since 28.08.2020.

Considering the period of custody and the fact that no stolen motorcycle has been recovered from possession of petitioner, the petitioner above-named, is directed to be enlarged 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 Additional Chief Judicial Magistrate III, Araria in connection with Tarabari P.S. Case No. 61 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

**(Prabhat Kumar Singh, J)**

vinita/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

