

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5872 of 2021

Arising Out of PS. Case No.-422 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Dinesh Sah @ Dinesh Kumar, Son of America Sah, Resident Of Village-
Jagdishpur, Vriti Tola, P.S.- Jagdishpur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-06-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bettiah
(Town) P.S. Case No.422 of 2019 registered for the offence
punishable under Section 379 of the Indian Penal Code, in
which charge sheet has been submitted under Sections 379 and
414/34 of the Indian Penal Code.



Informant's motorcycle has been stolen from the premises of the post office where he has gone after parking his motorcycle.

It is submitted by the petitioner's counsel that the alleged stolen motorcycle has been recovered from co-accused Arbaz Alam, who has stated about the petitioner's complicity. Based on implication of co-accused in his statement, the petitioner is in custody in connection with this case since 03.03.2020. The petitioner is accused in six more cases as per the detail in paragraph 3 of the petition. It is submitted that there is no recovery of any incriminating material to even suggest the petitioner's complicity in the instant case.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 court of learned C.J.M., Bettiah, West Champaran, in connection with Bettiah (Town) P.S. Case No.422 of 2019, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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