

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7925 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- JANDAHA District- Vaishali

MD. ESLAM @ GULAB Son of Md. Kalim Resident of Village - Jandaha
Purvi Bazar, P.S. - Jandaha, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 09-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

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

Petitioner seeks bail in Jandaha P.S. Case No. 123 of 2020 registered under Sections 413 and 414 of the IPC.

A stolen motorcycle has been recovered from the petitioner in course of checking. The other person riding on the



motorcycle has escaped.

It is submitted by petitioner's counsel that he has falsely been implicated in this case and that he was merely a passerby. Due to his criminal antecedent he has been implicated. Charge-sheet has been submitted. Investigation is completed and the petitioner is in custody since 6.8.2020. The seizure of the motorcycle is not in accordance with Section 100 Cr.P.C.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Vaishali at Hajipur in Jandaha P.S. Case No. 123 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)

SUMIT/-

U		T	
---	--	---	--

