

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8984 of 2021

Arising Out of PS. Case No.-665 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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Vaidyanath Mahto @ Vaidyanath Kumar S/o Kheraku Mahto @ Merkun
Mahto, Resident of village-Bhatwaliya, P.S.- Bairiya, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-07-2021 In view of sudden surge 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 Bettiah Town P.S. Case
No.665 of 2020 registered for offence punishable under sections
413 and 414/34 of the Indian Penal Code.

It is alleged that the petitioner has purchased the



stolen motor cycle from the co-accused who was apprehended.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner was not aware that the motor cycle, that he has purchased, is a stolen motor cycle and believing the same co-accused Raghuraj Kumar, he has purchased the same. He has no criminal antecedent and he is in custody since 15.10.2020. The other co-accused, who allegedly purchased the another motor cycle from the same Raghuraj Kumar, has been allowed bail in Cr. Misc. No. 8006 of 2021.

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 Chief Judicial Magistrate, Bettiah in Bettiah Town P.S. Case No.665 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 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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