

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9792 of 2021

Arising Out of PS. Case No.-73 Year-2019 Thana- ANDHRATHARHI District- Madhubani

SANTOSH KUMAR SINGH SON OF KAILASH PRASAD MAHTO
RESIDENT OF VILLAGE- MADANA TOLE, DHOKARA, P.S.-
ANDHRATHARHI, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Shubham

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Andhrathathi P.S. Case
No. 73 of 2019, registered for the offence punishable under
Section 379 of the Indian Penal Code.

FIR was lodged against unknown for theft of Passion
X Pro motorcycle of the informant. Later on, three motorcycles
were recovered from the house of this petitioner, out of which
one belongs to this petitioner and rest two motorcycles were
stolen.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. Nothing has been recovered
from conscious possession of this petitioner. The said house is in



joint possession of the family. Petitioner is in custody since 15.06.2020. Chargesheet has already been submitted.

Learned APP however, vehemently opposed the prayer for bail.

Considering the facts and circumstances of the case, 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, Jhanjharpur, Madhubani in connection with Andhratharhi P.S. Case No. 73 of 2019, 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)

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