

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 3755 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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Nand Kishore Prasad Kushwaha, aged about 18 years, Male Son of
Rambharos Mahato @ Rambharosh Prasad Kushwaha, Resident of Village-
Nanka Ghiuda, P.S.- Gaur, District- Rauthat (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks from today.

The petitioner seeks bail in connection with
Kundwachainpur P.S. Case No. 264 of 2021 registered for the
offences punishable under Sections 411,413,414 and 34 of the
Indian Penal Code.

The allegation against the petitioner is that he and the
accused were apprehended with a stolen motorcycle.

Learned counsel for the petitioner has submitted that
it is evident from the prosecution case that the petitioner has no
role as the motorcycle stated to be stolen has been recovered



from the house of co-accused Mithilesh Kumar and the petitioner has been apprehended only on the basis of suspicion as he was present there. The petitioner has got no criminal antecedent and is in custody since 01.12.2021.

Learned APP has opposed the contention of the petitioner and submitted that the petitioner was apprehended with a stolen motorcycle.

Having regard to the submissions hereinabove and considering the fact that the place from where the motorcycle were recovered did not belong to the petitioner, 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 the learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No. 264 of 2021, subject to the following conditions:

(i) One of the bailors will be a close relative of the petitioner, preferably one of his parents.

(ii) The petitioner will remain present on each and every date fixed by the court below and not delay the trial. In case of absence for three consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by



the Court concerned.

(iii) The petitioner will not indulge in similar or in any other offence.

(iv) The bail bond shall be accepted after framing of charge.

(Arun Kumar Jha, J)

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