

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25489 of 2022

Arising Out of PS. Case No.-498 Year-2021 Thana- KRITYANAND NAGAR District-
Purnia

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Mithun Singh, Son of Srikant Singh @ Shrikant Singh Resident of Village -
Bisaria, P.S.- Korha, District – Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-08-2022 No one appears on behalf of the petitioner. State
represented by learned APP.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with K. Nagar (Maranga) P.S. Case No.498 of 2021 instituted
under Sections 379,411 of the Indian Penal Code.

As per the allegation in the FIR, the informant had
kept his motorcycle (Black & White Super Splendor) outside his
house but when he woke in the morning, it was missing.
Accordingly, the FIR was lodged.

Subsequently, in course of investigation, it is alleged
that the motorcycle was recovered from the other accused
persons.

As per the averments made in the bail application in



para-10 nothing has been recovered from the possession of the petitioner and further he is in custody since 06.03.2022 (as have been mentioned in the order of the learned Vth Additional Sessions Judge).

Taking into account the fact that the recovery of motorcycle has not been made from the conscious possession of the petitioner, he is in custody since 06.03.2022 and the charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with K. Nagar (Maranga) P.S. Case No.498 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Purnea, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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