

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35927 of 2022

Arising Out of PS. Case No.-388 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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MADHAV KUMAR S/O HIRALAL PASWAN @ HARILAL PASWAN
Resident of Village- Lashkari, Ward No.07, P.S.- Udakishunganj, District-
Madhepura.

... .. 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.A.G., APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-09-2022 No one appears on behalf of the petitioner.

The case is registered under Section 379 of the Indian
Penal Code in connection with Udakishunganj P.S. Case No.
388 of 2021.

As per the informant, his younger brother had gone to
his in-laws' house while the motorcycle was parked outside.
Next morning, the same was missing. The further allegation is
that after a fortnight, some accused persons including the
petitioner herein demanded Rs. 15,000/- for the return of the
motorcycle. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he is a
student of B.A. and had no role to play in the matter nor
anything has been recovered from his possession are merely on



the basis of the allegation made therein, he has been implicated in this case and is in custody since 24.5.2022.

Considering the fact that he is in custody since 24.5.2022, charge-sheet stands submitted, nothing has been recovered from his conscious possession, this Court is inclined to grant him the privilege of bail after framing of charges, in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Udakishunganj in connection with Udakishunganj P.S. Case No. 388 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members 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 his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight 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 take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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