

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57430 of 2021

Arising Out of PS. Case No.-471 Year-2021 Thana- MADHEPURA District- Madhepura

Suman Kumar Son Of Ravindra Yadav Resident of Village - Mokama,
Suthaniya, P.s.- Basnahi, Distt.- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 05-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Madhepura P.S.Case No. 471 of 2021 for the offences
punishable under Sections 414, 419/34 of the Indian Penal
Code.

As per prosecution case, It is alleged that petitioner
along with one co-accused Bipin Kumar caught by the police
with stolen motorcycle. It is further alleged that when the
informant inquired about the motorcycle then Bipin Kumar
disclosed that stolen motorcycle belong to one Deepak Kumar.

Learned counsel for the petitioner submits that



petitioner has falsely implicated in this case. So far as allegation of giving wrong information with regard to motorcycle is concerned, the same is attributed to the co-accused Bipin Kumar and from possession of this petitioner no other incriminating article has been recovered. It is next submitted that petitioner has no criminal antecedent and he is in custody since 16.06.2021. Investigation has also been completed and charge sheet has been submitted.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that motorcycle has been recovered from joint possession of the petitioner and the co-accused Bipin Kumar.

Having heard the rival contentions of the parties and taking into consideration the fact that, petitioner has clean antecedent and he is in custody since 16.01.2021 and the allegation of false information given to the police is against co-accused Bipin Kumar, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S.Case No. 471 of 2021, subject to the condition that one of the bailors will be the close



relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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