

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56646 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- CHIRAIYA District- East Champaran

Shatrughan Kumar @ Pawan Kumar, Son of Shambhu Singh, Resident of
Village- Pratapur, P.S.- Chiraiya (Sikarganj), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-04-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Chiraiya (Sikarganj) P.S. Case No. 50 of 2020 for the offences punishable under Section 379 of the Indian Penal Code.

The prosecution case as alleged in the F.I.R. is that on 16.02.2020, the informant parked his motorcycle in the campus of Rupahara Middle School and when he returned to the parking spot he did not find his motorcycle.

It is submitted on behalf of the learned counsel for the



petitioner that the F.I.R. has been registered against unknown and when the petitioner was arrested in Chiraiya (Sikarganj) P.S. Case No. 58 of 2020 his confessional statement has been recorded and thereafter he has been remanded in the present case. It is further submitted that the petitioner is neither named in the F.I.R. nor arrested at the spot and further no recovery has been made from the person or possession of this petitioner. It is next submitted that the petitioner is in custody since 28.01.2021 and investigation has already been concluded and charge-sheet has also been submitted in this case.

On the other hand, learned APP appearing on behalf of the State has submitted that there is allegation against this petitioner that he has stolen the motorcycle apart from his criminal antecedent.

Having heard the learned counsel for the petitioner as well as learned APP and taking into consideration the fact that the name of the petitioner has come on his own confession and thereafter he has been remanded in the present case and he is in custody since 28.01.2021 and moreover nothing has been recovered from the possession of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two



sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Sikarhana at Dhaka in connection with Chiraiya (Sikarganj) P.S. Case No. 50 of 2020 with the following conditions:

(a) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without any cogent reason, his bail bond shall be cancelled by the Court below.

(b) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Harish Kumar, J)

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