

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58325 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- MADHEPURA District- Madhepura

JITENDRA @ PAKORI Son of Indradev Yadav @ Indradev Prasad Yadav
Resident of Village - Bhirkhi, Ward No.23, P.S.- and Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Madhepura Police Station Case No. 106 of 2021, registered for the offences punishable under Sections 414/419/468/279 of the Indian Penal Code and Sections 179/181/184-C/194-D of the M.V. Act.

The prosecution case, as per the First Information Report, is that three persons, going on a motorcycle, were intercepted by the police and upon enquiry, it was found that the said motorcycle was registered in the name of one Gaurav Singh, but the motorcycle was being driven by co-accused Laltu Kumar and the petitioner and one another co-accused were the pillion riders.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case with oblique motive. He further submits that from perusal of the First Information Report, it would be evident that there was no signature of the petitioner on the seizure list. He further submits that similarly situated co-accused Vikas Kumar has been granted bail by this Court in Cr. Misc. 34757 of 2021 and co-accused Laltu Kumar, who was driving the said motorcycle, has also been granted bail by co-ordinate Bench of this Court in Criminal Misc. No. 33412 of 2021. The petitioner is in custody since 10.02.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood of the petitioner will abscond or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that other co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court, the petitioner is in custody since 10.02.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on bail on furnishing bail bond 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 Police Station Case No. 106 of 2021, subject to the following conditions:

(i) that Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(ii) that 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.

(Anil Kumar Sinha, J)

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