

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59700 of 2021

Arising Out of PS. Case No.-845 Year-2020 Thana- MADHEPURA District- Madhepura

Manish Kumar @ Laltu Kumar Yadav @ Laltu Kumar Son of Balo Prasad
Yadav Resident of Village - Bhirkhi, P.S. and District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-04-2022 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. 845 of 2020 for the offences
punishable under Sections 379 and 411 of the Indian Penal
Code.

As per the prosecution case, it is alleged that on
06.11.2020, the informant parked his motorcycle near the
Election office and went to attend the meeting but when he
returned, 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 instituted against unknown



person later on, this petitioner was apprehended by the police and the stolen motorcycle was recovered. It is submitted that so far stolen motorcycle is concerned, the same was sold by one Dilkhush Kumar @ Laltu Yadav to the petitioner after receiving Rs. 25,000/- but the transfer could not be affected by the office of D.T.O till the date of occurrence and in the meantime, the petitioner apprehended by the police. It is next submitted that at best, it is a case of 411 which is triable by Magistrate and the maximum punishment is provided only for three years. It is next submitted that the petitioner is in custody since 20.12.2020. The petitioner lastly submits that prior to the present case, the petitioner had absolutely clean antecedent but after institution of the present case, the name of petitioner has been implicated in three other cases as per the information.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that the petitioner was arrested with the stolen motorcycle.

Having heard the rival contentions of the parties and taking into consideration the period of detention of the petitioner as also the submission made at the Bar that this petitioner had purchased motorcycle from one co-accused after giving 25,000/-, 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 Additional Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S.Case No. 845 of 2020, 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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