

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64759 of 2021

Arising Out of PS. Case No.-202 Year-2021 Thana- BEUR District- Patna

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Raushan Kumar, Son of Sharma Nand Rai @ Sharmanand Kumar, Resident of Village-Shiv Parvati Committee Hall, Road No.-04, P.S.-Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mishra, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Beur P.S. Case No.202 of 2021 registered for the offence punishable under Sections 379, 411, 414/34 of the Indian Penal Code.

There was an attempt to take away the motorcycle of the informant by co-accused Ankit Kumar and Amit Kumar. The said two persons have named the instant petitioner as being the member of the gang. One motorcycle said to have been stolen is recovered from the petitioner and the other two co-accused persons.

Counsel for the petitioner submits that allegation itself is in respect of a failed attempt. The motorcycle of the



informant was not stolen. The petitioner's implication is merely on the basis of suspicion because of his *bona fide* association with the two co-accused persons. He has become a victim of circumstance and having no antecedents, is in custody since 27.04.2021, though he is aged only 19 years.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submission, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Patna, in connection Beur P.S. Case No.202 of 2021, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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