

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23805 of 2023

Arising Out of PS. Case No.-80 Year-2022 Thana- KANHHAULI District- Sitamarhi

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Tinku Kumar @ Tinku Mandal, S/O Late Krishna Mandal, R/O Village-
Bishunpur Adhar @ Vishanpur Aadhar, P.S- Kanhauli, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kanhauli P.S. Case No. 80 of 2022 registered for the alleged offences under Sections 413 and 414/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner was apprehended with a stolen motorcycle and co-accused persons fled away with another stolen motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner has nothing to do with co-accused Rahul Pandey and Manish Kumar. The seizure list prepared for the recovery shown



from this petitioner is not signed by independent witnesses and the same has not been prepared in accordance with law. The petitioner is in custody since 13.05.2022 and charge sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent of similar nature and three cases are pending against him. At this stage, learned counsel for the petitioner submits that the petitioner is on bail in all the cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet against him, the petitioner above named is directed to 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 Judicial Magistrate-1st Class, Sitamarhi/concerned Court in connection with Kanhauli P.S. Case No. 80 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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