

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52320 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- AMAS District- Gaya

1. Vikram Kumar male, aged about 18 years, Son of Ramchandra Mistri @ Premchandra Mistri Resident of Village - Pankara, Police Station- Dumariya, District- Gaya.
2. Harshraj Kumar, male, aged about 16 years, Son of Ramdarshan Mistri Resident of Village - Simari, Police Station- Dumariya, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Dharendra Pratap Singh, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the State of Bihar.

The petitioners seek bail in connection with Amas PS Case No. 176 of 2022, registered for the offence punishable under Sections 413 and 414 of the Indian Penal Code.

Both the instant petitioners were apprehended, to be found in possession of a stolen motorcycle. It is alleged that they have confessed to purchase of stolen motorcycle from a co- villager.

Learned counsel for the petitioners submits that having no antecedents, the petitioners have become victim of the circumstance. They have no concern whatsoever with the recovered stolen motorcycle and are in custody since 22-05-2022. The charge sheet has already been submitted against the petitioners.

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

Considering the rival submissions, petitioners' period of custody, clean antecedent and the fact that charge sheet has already been submitted against the petitioners, this Court, for the purposes of



grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class Sherghati, Gaya, in connection with Amas PS Case No. 176 of 2022, subject to the following conditions:-

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

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

This Court would expect that the petitioners' 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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