

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54051 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

Sunil Kumar Son Of Shambhu Kharwar R/O Barwa Brit, Nechwajalapur,
Jalalpur, P.S.- Kuchaikote, Distt.- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Kuchaikote P.S. Case No. 43 of 2021 under section 379 of
the Indian Penal Code.

As per the prosecution story, the informant alleged
that his Hero Super Splendor Motorcycle bearing registration
no. BR28S-1656 has been stolen. Accordingly, the FIR.

The police investigated the matter and
apprehended one Rishu Kumar Singh along with the stolen
motorcycle and in whose confession, this petitioner has been
dragged in this case.



Learned counsel for the petitioner submits that the stolen motorcycle has been recovered/seized from Rishu Kumar Singh and in whose confession, he has been implicated in this case.

Further submission is that he is ready to abide by all the terms and conditions, if granted relief.

Mr. Bharat Bhushan, the learned APP opposes the prayer.

Taking into account the aforesaid fact that the stolen motorcycle has been recovered/seized from Rishu Kumar Singh in whose confession, his name has come up, he will be cooperating in the investigation and he is young person, this Court is inclined to grant him relief with conditions.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-VII, Gopalganj, in connection with Kuchaikote P.S. Case No. 43 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) the petitioner shall appear before the concerned



police station every fortnight for one year to mark his attendance;

(ii) if the petitioner repeats the crime of same nature, the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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