

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62675 of 2022

Arising Out of PS. Case No.-471 Year-2021 Thana- KORHA District- Katihar

Udit Ram @ Udit Kumar Son of Suresh Ram R/v- Bishahariya, P.O.- Shishia,
P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupak Ranjan Singh Son of Sadanand Prasad Singh R/v- Barauni-1, P.S.-
Teghra, District- Begusarai, at present Incharge, Korha P.S., District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Korha PS Case No. 471 of 2021 (GR No. 4133 of 2021) corresponding to Sessions Trial No. 266 of 2022, registered for the offence punishable under Sections 413, 414 and 120B of the Indian Penal Code.

Some motorcycles alleged to be stolen have been recovered. It is alleged that from one Akhilesh Kumar (co- accused) one of the stolen motorcycles was recovered and he has stated about the petitioner dealing in stolen motorcycle along with him.

It is submitted that on the basis of such confessional statement of co-accused, recorded in police custody, having no evidentiary value, the petitioner has been implicated and he is in custody since 11/03/2022. He has no criminal antecedent and his implication has led to no recovery from the petitioner. Co-accused, namely, Akhilesh Kumar, who had stated about the petitioner, has been allowed bail in Criminal Miscellaneous No. 19116 of 2022. It is submitted that investigation is complete.

The learned APP for the State has opposed the prayer for



bail. He, however, is not in a position to deny the factum of grant of bail to co-accused, namely, Akhilesh Kumar.

Considering the rival submissions, clean antecedent, claim based on parity as also period of custody and the fact that investigation is complete, 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.

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 District Judge -II, Katihar, in connection with Korha PS Case No. 471 of 2021 (GR No. 4133 of 2021) corresponding to Sessions Trial No. 266 of 2022, 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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