

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71179 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- PURAINI District- Madhepura

Bittu Kumar, Son Of Upendra Yadav, R/O Village- Barateni, P.S.-
Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Puraini P.S. Case No. 114 of 2023 registered for the alleged offences under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, the motorcycle of the informant was stolen by three miscreants when the informant got down to ease himself. The name of the petitioner transpired during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired on the basis of confessional statement of co-accused Manish Kumar @ Dhoni



Kumar. Except for the confessional statement, there is no material to connect the petitioner with the offence as alleged. No recovery has been made from the conscious possession of the petitioner. The petitioner is in custody since 14.06.2023 and charge-sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that the petitioner was apprehended with co-accused Manish Kumar while they were coming on a motorcycle which was found to be stolen motorcycle of this case.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, 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 Chief Judicial Magistrate, Madhepura/concerned court in connection with Puraini P.S. Case No. 114 of 2023, 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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