

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70739 of 2022

Arising Out of PS. Case No.-512 Year-2022 Thana- NAWADA District- Nawada

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Dipak Kumar @ Chintu Kumar, aged about 40 years (Male) Son of Braj Nandan Singh, Resident of Village- Hasanpur, P.S.- Mahnar, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Ms. Vaishnavi Singh, Advocate
For the State : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-03-2023 This matter has been taken up today for consideration through video conferencing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Nawada (Town) P.S. Case No. 512 of 2022, registered for the offence punishable under Section 379 of the Indian Penal Code (for brevity 'IPC').

Informant's car, which was parked in front of the hotel in the night, was found missing next day.

Learned counsel for the petitioner submits that First Information Report (for brevity 'FIR') is against unknown persons and the petitioner's name has surfaced in this case on statement of co-accused persons, who has stated that they were handing over the stolen vehicle to the petitioner, for being sold. Based on such statement of co-accused, extracted in custody, petitioner who has no criminal antecedents, prior to lodging of



the instant case, is in custody since 02.06.2022. There is no recovery alleged from the petitioner of any incriminating material. Upon his implication in this case, he has been made accused in three (3) other cases, as per disclosure made in Paragraph No. 3 of the bail application. He is on bail in two (2) out of three (3) cases.

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

Considering the rival submissions, nature of accusations, lack of recovery from the petitioner, his period of custody and also the fact that he has no criminal antecedents prior to his implication in this case, 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 Chief Judicial Magistrate, Nawada, in connection with Nawada (Town) P.S. Case No. 512 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.

(Madhuresh Prasad, J)

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