

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80818 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- MAHUA District- Vaishali

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AMARJEET KUMAR @ BHUJUNGI @ ABHIJEET KUMAR Son of Raj
Ballabh Mahto R/o vill - Ram Chandra Dohaji, P.S. - Sarai, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahua
P.S. case No. 260 of 2023 instituted for the offences under
Section 379 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the
motorcycle of the informant was stolen by some unknown
persons which he had parked in front of the house of his relative
Pramod Paswan.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.07.2023 and has 5 criminal
antecedents but he is on bail in all the cases. Charge-sheet has



been submitted in this case. Petitioner is not named in the FIR. Learned counsel further submitted that the stolen motorcycle was recovered from the house of the co-accused, namely Sujeet Kumar. The name of the petitioner came into light only on the basis of confessional statement of the co-accused, namely Sujeet Kumar. He further submitted that nothing has been recovered from the conscious possession or from the house of this petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahua P.S. case No. 260 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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