

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14843 of 2015

Arising Out of PS.Case No. -247 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Samant Kumar Son of Sri Jagdish Goswami, Resident of village-
Bhatkoian, Police Station- Kateya, District- Gopalganj at present Residing
in House of Sri Ashok Pandey at Bhitmerwan, Police Station + District-
Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava

For the Opposite Party/s Mr. Indu Bala Pandey(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 09.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Admittedly, petitioner and Lokesh Kumar Singh were
caught by the police along with so-called stolen motorcycle and co-
accused Lokesh Kumar Singh was granted privilege of bail by In-
charge Sessions court vide order dated 7.8.2014 passed in B.P. no.
585/2014 but it is surprisingly enough that learned Sessions Judge,
Gopalganj rejected the prayer of the petitioner vide order dated
5.2.2015 passed in B.P. no. 1109/2014 without taking note of this fact
that having similar allegation co-accused Lokesh Kumar Singh has
already been granted bail by In-charge court.

Moreover, from perusal of the impugned order, it appears
that in course of investigation, Investigating officer could not collect
evidence to show that seized motorcycle was stolen property.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Gopalganj (Town) P.S. Case no. 247/2014.

shahid

(Hemant Kumar Srivastava,J)

