

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 10031 of 2020

Arising Out of PS. Case No.-214 Year-2016 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

VINAY RAM @ VINAY KUMAR RAM Son of Maheshwar Ram Resident
of Village - Dadhiya Belar, P.S.- Mufassil, Dist.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Nibash Prasad
	:	Mr. Mukesh Kumar
For the Opposite Party/s	:	Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Mufassil PS case no. 214 of 2016 registered for the
offences punishable under Section 379 of Indian Penal Code.

The allegation is regarding unknown miscreants
having stolen one H.P. Water Pump of the brother of the informant.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and is having no complicity in the
matter. It is further submitted, by referring to paragraphs no. 8 and 9
of the present petition that the stolen pump was recovered from the
possession of the co-accused person namely Ajit Kumar and he is
stated to have disclosed the name of the petitioner to be his
accomplice, in his confessional statement made before the police. It



is submitted that since neither the alleged water pump has been recovered from the conscious possession of the petitioner or his house nor there is any material on record to suggest his complicity in the matter, this Court may consider granting the privilege of anticipatory bail to the petitioner.

Having regard to the facts and circumstances of the case and considering submissions made by the learned counsel for the petitioner, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 5th Samastipur in connection with Mufassil PS case no. 214 of 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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