

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14161 of 2020

Arising Out of PS. Case No.-451 Year-2019 Thana- ATRI District- Gaya

SHAILESH KUMAR S/o Shiv Kumar Ram Resident of Village- Pachohiya,
P.S.- Kadirganj, Distt- Nawada.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Kunwar Narayan Jamuar, Advocate.
For the State : Mr. Sanjay Kumar Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-05-2020 Heard through Video Conferencing.

The petitioner seeks bail in connection with Atri P.S. Case No.451 of 2019 registered under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret information about moving of a person with stolen motorcycle, police team proceeded for verification and started the checking of the vehicle at Jota-Riula turning. At that time, two persons were seen on one motorcycle. On seeing the police party, both persons started to flee away turning the motorcycle in high speed but, on chase, they were apprehended, who disclosed their name as Vikas Raj and Shailesh Kumar (petitioner). On search of the motorcycle, a plastic gallon, containing 10 liters country made liquor, was recovered. On query,



Vikas Kumar disclosed that he uses the motorcycle for doing the business of illicit liquor and he had also gone in jail under the Arms Act and also admitted about the theft of the motorcycle and concealing the theft motorcycle in Nehalu Chak. Thereafter, the police proceeded for verification along with the apprehended persons and, on verification, it was detected that regarding the seized motorcycle, Atri P.S. Case No.418 of 2019 was instituted.

Submission is that, in fact, the petitioner was passing through the road but at the time of apprehending the person with motorcycle, this petitioner was also apprehended, on mere suspicion, being the associate of Vikas Raj, who was apprehended with the motorcycle. The petitioner has no criminal antecedent and is in custody since 20.10.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Gaya, in connection with Atri P.S. Case No.451 of 2019.

(Rajendra Kumar Mishra, J)

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