

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16542 of 2020**

Arising Out of PS. Case No.-855 Year-2019 Thana- MADHEPURA District- Madhepura

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NIVAS KUMAR Son of Manoj Yadav Resident of Village - Jalaiya postpar,  
P.S.- Sour Bazar, Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Kumari Sudha Sinha, Advocate  
Mr.Praveen Kumar Agrawal  
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2      02-06-2020                      Heard the learned counsel for the petitioner and  
  
the State.

The petitioner seeks bail in connection with  
Madhepura P. S. Case No. 855 of 2019 dated  
03.10.2019 instituted for the offences under Sections  
379 and 411 of the Indian Penal Code.

The petitioner is stated to be in custody since



03.10.2019 and does not have criminal antecedents.

It appears from the F.I.R. that the petitioner in conclusion with others had stolen 415 gunny bags containing maize of a company for which the petitioner was designated as the driver who was supposed to take the vehicle loaded with the aforesaid gunny bags to Gujrat.

It appears that some of the gunny bags were recovered and some are stated to have been sold.

It has been urged on behalf of the petitioner that he has been arrested only on suspicion, without any legal evidence.

He further submits that only because he is the driver of the vehicle, he has been suspected of the offence. In fact, the theft was committed by others.

Considering the afore-stated facts and the period of custody, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with



two sureties of the like amount each to the satisfaction  
of the learned Chief Judicial Magistrate, Madhepura in  
connection with Madhepura P. S. Case No. 855 of  
2019.

(Ashutosh Kumar, J)

skm/-

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