

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26276 of 2020

Arising Out of PS. Case No.-515 Year-2019 Thana- DEHRI TOWN District- Rohtas

GAUTAM KUMAR GUPTA @ GAUTAM KUMAR S/o Nathuni Sah
Resident of Village-Bheriya, P.S.-Dehri (Town), District-Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-10-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Shyameshwar Dayal, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Dehri (T) PS case no. 515 of 2019 registered for the offences punishable under Sections 379, 414/34 of Indian Penal Code.

The police is stated to have apprehended the miscreants who were trying to flee away on their motorcycle and upon interrogation, they had disclosed their names as Manish Kumar and Rohit Kumar, however upon being asked to produce the documents of the motorcycle, the said accused



persons could not show the same and instead, disclosed that they had stolen the motorcycle after hatching conspiracy along with other co-accused persons namely Gautam Kumar (the petitioner herein) and Rohit Kumar. The police is alleged to have raided the house of Munna Paswan and recovered the stolen motorcycle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner has been falsely implicated in the present case merely on suspicion and that too, on the basis of confessional statement of the co-accused persons. It is further submitted that no stolen motorcycle has been recovered from the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner has been implicated in the present case merely on suspicion and that too, on the basis of confessional statement made by co-accused persons and moreover, he is having a clean antecedent, 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 Judicial Magistrate 1st class, Dehri, Rohtas in connection with Dehri (T) PS case no. 515 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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