

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34975 of 2020

Arising Out of PS. Case No.-301 Year-2020 Thana- CHAPRA TOWN District- Saran

BHIM KUMAR Son of Late Bhagwan Sah @ Bhagwan Prasad R/o Mohalla -
Uttari Dahiyawen, P.S.- Chapra Town, District - Saran, Bihar - 841301.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2020 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 Uday Pratap, the learned APP for the State.

The petitioners seek regular bail in connection with Chapra Town PS case no. 301 of 2020 instituted for the offences punishable under Section 414 of Indian Penal Code.

The case of the prosecution as per the written report of A.S.I. of Chapra Town Police Station is that on 27.05.2020, when the informant along with the police party was on patrolling duty, in the meantime, a Constable namely Pradeep Kumar informed that he has apprehended two boys with a motorcycle and they are not able to show any papers. It is



alleged that thereafter, the informant along with the police party had reached at the said place and had apprehended the petitioner herein along with one other co-accused person, along with the motorcycle, however they failed to produce any registration paper of the said motorcycle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 28.05.2020. It is further submitted that the petitioner has got no connection with the said motorcycle stated to be a stolen motorcycle. Lastly, it is submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 01.10.2020, passed in Cr. Misc. no. 24953 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court, apart from the fact that the petitioner is having a clean



antecedent, the abovenamed petitioner is directed to be released on 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-I (No. 7), Saran at Chapra in connection with Chapra Town PS case no. 301 of 2020.

(Mohit Kumar Shah, J)

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