

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28694 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- GORAUL District- Vaishali

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MUKESH KUMAR SINGH Son of Sri Lalu Singh Resident of Village -
Vyaschak, P.S.- Goraul, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-11-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 379 & 411 of the Indian
Penal Code.

The prosecution case, in nutshell, is that while the



informant was returning to his home from Bhagwanpur and in the way he entered in a shop for taking breakfast and when he came out from the shop he did not find his motorcycle. He tried to search but he could not succeed and lodged this case against unknown persons.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case merely on suspicion as the petitioner's home is situated on road side and the said stolen motorcycle was recovered in front of his door. He is neither named in the F.I.R. nor he was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has been languishing in custody since 02.03.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge**, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate-
I, Vaishali in connection with Goraul P.S. Case No.35 of 2020.

(Anjani Kumar Sharan, J)

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