

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34976 of 2020

Arising Out of PS. Case No.-148 Year-2020 Thana- TRIVENIGANJ District- Supaul

SUVLESH KUMAR S/o Ravindra Yadav Resident of Village- Medhiya Ward
No.06, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Uday Pratap, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Triveniganj P.S. Case No. 148 of 2020 for the offence punishable under Sections 414/34 of the Indian Penal Code.

The informant is stated to have received a secret information on 13.06.2020 that two persons namely Brahmadeo Mandal and Shiv Narayan Mandal had kept stolen motorcycles in their house and thereafter, search was conducted by the police party and one motorcycle each was recovered from the house of



the said two accused persons, however, they could not produce the documents and instead stated that the said motorcycles were handed over to them by the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 15.06.2020. The learned counsel for the petitioner has also submitted that the petitioner is accused in one case lodged under section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018 in which he is on bail. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide orders dated 01.12.2020 and 07.12.2020 passed in Cr. Misc. No. 31862 of 2020 and Cr. Misc. No. 32057 of 2020.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

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 persons, who have already been granted bail by a co-ordinate Bench of this Court,



apart from the fact that the stolen motorcycles were not recovered from the house of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM-1, Supaul in connection with Triveniganj P.S. Case No. 148 of 2020.

(Mohit Kumar Shah, J)

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