

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32256 of 2020

Arising Out of PS. Case No.-383 Year-2020 Thana- ARARIA District- Araria

1. SAVIN KUMAR @ SHABIN KUMAR S/o Dipak Kanjar Resident of Village-Shivpuri ward no.09, Police Station and District-Araria.
2. Kalu Kumar Mandal S/o Dabu Mandal @ Dev Narayan Mandal Resident of Village-Shivpuri ward no.09, Police Station and District-Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mukesh Kumar Rana

For the Opposite Party : Mr. Anuj Kumar Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-12-2020 Heard Mr. Mukesh Kumar Rana, learned counsel appearing on behalf of the petitioners and Mr. Anuj Kumar Srivastava, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Araria P.S. Case No. 383 of 2020, registered for the offence punishable under Section 379 of the Indian Penal Code.

The petitioners are in custody since 23.05.2020. Charge-sheet has been submitted. It has been stated in paragraph 3 of the application that the petitioners have no criminal antecedent.

Allegedly, a theft was committed in informant's house and certain valuables were taken away. The F.I.R. was registered



against unknown. Names of these petitioners have surfaced on the basis of confessional statement of the co-accused Ankit Kumar.

It is being argued that though one bi-cycle was recovered from the house of the petitioner No.1 and certain cloths from the house of petitioner No.2. The articles so recovered do not tally with the articles alleged to have been stolen.

Be that as it may, considering the fact that the petitioners are in custody since 23.05.2020 and they have no criminal antecedent, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria, in Araria P.S. Case No. 383 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the



course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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