

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34939 of 2020

Arising Out of PS. Case No.-96 Year-2020 Thana- BALIYA District- Begusarai

NAVIN KUMAR SHARMA Son of Ramanand Sharma Resident of Village-
Pipra, P.S.- Begusarai Town (Ratanpur O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar

For the Opposite Party/s : Mr. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2020 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 appearing for the petitioner and Shri Md. Fahimuddin, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Ballia P.S. Case No. 96 of 2020 for the offence punishable under Sections 414 and 34 of the Indian Penal Code.

The informant is stated to have received a confidential information on 17.04.2020 at about 10:00 a.m. in the morning that some boys had arrived at Mirzapur Chowk for the purposes of selling stolen motorcycle, whereafter the informant along with lady police force had gone to the said place of occurrence and two persons were caught with motorcycle including the



petitioner herein and one Glamour motorcycle was recovered.

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 he is languishing in custody since 18.04.2020. It is further submitted that the stolen motorcycle has not been recovered from the conscious possession of the petitioner and moreover, similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 09.12.2020 passed in Criminal Misc. No. 32046 of 2020.

Per contra, the learned A.P.P. 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 petitioner 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 coordinate Bench of this Court as also considering the fact that the petitioner is having a clean antecedent and he is languishing in custody since 18.04.2020, 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 bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 96 of 2020.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

