

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33050 of 2020**

Arising Out of PS. Case No.-54 Year-2020 Thana- BHAGWANPUR District- Vaishali

Om Prakash @ Chhotu @ Om Prakash Ray S/o Virendra Chandra Ray @
Bulkan Ray R/o village- Warishpur, P.S.- Bhagwanpur, District- Vaishali at
Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-12-2020 In view of the submission and the undertaking of the learned counsel for the petitioner, at the time of hearing of this application through video conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 04.12.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 54 of 2020, registered under Sections 413 & 414/34 of the Indian Penal Code.

The accusation is that on receiving secret information about keeping of looted tractor and motorcycle by



Birendra Chandra Rai @ Bulkan Rai of village-Barispur, the informant and other Police personnel reached there and surrounded the house of Birendra Chandra Rai @ Bulkan Rai then two persons started fleeing, but, on chase, one person was apprehended, who disclosed his name Birendra Chandra Rai @ Bulkan Rai while other succeeded in fleeing. On search, one Sonalika tractor bearing registration No. BR21GA-5304, a Swaraj tractor without registration number and a TVS Sport motorcycle bearing registration no. BR04P-3325 recovered. On query, Birendra Chandra Rai @ Bulkan Rai disclosed that his son Om Prakash @ Chhotu (Petitioner) with the help of his associates used to commit theft of motorcycle and tractor and the seized tractors and motorcycle were also looted by his son and his associates.

Learned counsel appearing for the petitioner submits that petitioner was not apprehended on the spot and petitioner has falsely been implicated in this case being son of co-accused Birendra Chandra Rai @ Bulkan Rai. Further submission is that petitioner is accused in two cases, as detailed in paragraph No.3, due to that reasons petitioner has also been implicated in this case and remanded in the present case on 19.05.2020 from Jandaha P.S. Case No. 37 of 2020.



Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 54 of 2020.

(Rajendra Kumar Mishra, J)

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