

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14031 of 2021

Arising Out of PS. Case No.-633 Year-2020 Thana- HAJIPUR District- Vaishali

Mukesh Kumar Son of Munna Rai Resident of Village- Jadhua, Gardaniya Chowk, P.S.- Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Town (Hajipur) P.S. Case No. 633 of 2020 registered under section 379 of the Indian Penal Code.

As per allegation in the F.I.R., a Bolero pick-up vehicle loaded with Ayurvedic medicines of the company worth Rs.6 lacs was being taken by the driver. However, when the driver parked the vehicle near Mahatma Gandhi Setu Path in Hajipur for taking meal, on return he found that the vehicle along with the goods had been stolen. F.I.R. was registered against unknown.

It is submitted by learned counsel for the petitioner



that although the F.I.R. was registered against unknown, no material has transpired during course of investigation to connect the petitioner with the alleged crime. The same has been dealt with in detail by the learned Court below in its order rejecting the bail application of the petitioner. Referring to the same, it is submitted by learned counsel for the petitioner that on secret information having been received, the police raided the house of co-accused Deepak Kumar who made an attempt to flee but was caught. A carton of Ayurvedic medicine was recovered from his house. It is the said Deepak Kumar who in his extra-judicial confession made before police, named the petitioner herein. However, no incriminating article has been recovered from the petitioner's possession. Investigation in the case has concluded. The petitioner is in custody since 4.9.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner having remained in custody for over 10 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Town (Hajipur) P.S. Case No. 633 of



2020 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 Chief Judicial Magistrate, Vaishali at Hajipur.

(ParthaSarthi, J)

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