

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22985 of 2021**

Arising Out of PS. Case No.-370 Year-2020 Thana- KHAGARIA District- Khagaria

VIKASH KUMAR Son of Chandan Prasad Gupta Resident of Village -
Babuaganj, Ward No.- 7, P.S. and District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar- Advocate

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 16-11-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Khagaria
P. S. Case No.370 of 2020, instituted for the offences under
Sections 457 and 380 of the Indian Penal Code.

The learned counsel for the petitioner submits that
petitioner is person with clean antecedent and he is in custody
since 15.07.2020 and he claims to be a person of clean
antecedents. Charge-sheet has been submitted in this case.

From bare perusal of F.I.R., it would manifest that the
informant has alleged that on 17.05.2020 at about 2.22 in the
mid-night, petitioner along with co-accused has committed theft
in his shop by breaking the door. Petitioner and co-accused Amit
Kumar were identified in the C.C.T.V. footage installed in the
neighbourhood. From the recording of the C.C.T.V. footage, it is
clear that Amit Kumar and this petitioner have committed the



theft of Rs. Five lakhs from the shop-cum-house of the informant.

Learned counsel for the petitioner submits that the date of occurrence is 17.05.2020 while the F.I.R. has been instituted on 23.05.2020 i.e. after a delay of five days without any plausible explanation. It is further submitted that the C.C.T.V. footage is not installed in the house of the informant rather C.C.T.V. installed in the neighbourhood and covering of the petitioner in the C.C.T.V. does not in any manner suggest that petitioner had committed the theft.

Considering the facts afore-stated, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Deepak Kumar, learned Judicial Magistrate, 1st Class, Khagaria in connection with Khagaria P.S. Case No.370 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

