

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31202 of 2021

Arising Out of PS. Case No.-459 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

Hemant Sharma @ Hemant Vishwakarma Son Of Chandeshwar Sharma R/O
Village- Durganagar Padrauna, P.S.- Padrauna, District- Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2021 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 learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Kuchaikote P.S. Case No. 459 of 2020 instituted for the offences under Sections 413, 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.11.2020, charge-sheet has been submitted in the case and he has got two criminal antecedents as mentioned in paragraph '3' of the bail petition.

Learned counsel for the petitioner submits that from



bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that he received information from his superior officer that one Bolero Jeep stolen from U.P. is going towards Bettiah from Gopalganj. Accordingly, the vehicle was stopped and the persons sitting in the vehicle tried to escape but were caught by the police and were unable to produce any document with respect to the vehicle in question and from pocket of one Samim Miya, the driver of the vehicle, master key was found.

Learned counsel for the petitioner submits that petitioner was not the driver of the said vehicle rather he was the passenger who had taken lift and when the vehicle was stopped by the police, then he came to know that the same was stolen.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.11.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Gopalganj in connection with Kuchaikote P.S. Case No. 459 of 2020 subject to the



condition as laid down under Section 437 (3) Cr.P.C. with a condition that one of the bailor shall be the father of the petitioner and the petitioner will mark his attendance in the concerned police station on 15th of every month till the charges are framed.

(Satyavrat Verma, J)

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