

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32334 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- GAMAHARIYA District- Madhepura

VISHAL KUMAR @ LAMBU @ RISHU, Son of Shatrudhan Sharma
Resident of Village - Kateya, Ward No. 07, P.S.- Singheshwar, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad- Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2021 Heard the learned Advocate for the petitioner and
the learned APP for the State.

The petitioner seeks bail in connection with
Gamharia P. S. Case No.178 of 2020, instituted for the
offences under Sections 413, 414 of the Indian Penal Code.

The learned counsel for the petitioner submits that
the petitioner is in custody since 29.10.2020 and charge-
sheet has been submitted in this case and has one antecedent
as mentioned in Para-3 of the bail petition.

The learned counsel for the petitioner further
submits that from perusal of the allegation as alleged in the
F.I.R., it would manifest that the informant has got secret



information that two persons were near a mango tree standing with a stolen motorcycle and accordingly, the informant reached at the spot and two persons were arrested and who disclosed their name as Bittu Kumar and Vishal Kumar @ Lambu @ Rishu and it is alleged that a motorcycle was recovered and on demand, they were not able to show any document relating to the motorcycle.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. The motorcycle has not been recovered from his possession, it was alleged that motorcycle belonged to one Subhash Mandal and the same was released by the learned Chief Judicial Magistrate, Madhepura vide order dated 21.01.2021.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody since 29.10.2020 and charge-sheet has been submitted in this case and has one antecedent as mentioned in Para-3 of the bail petition, 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 Smt. Surbhi Shrivastava, learned Judicial Magistrate- 1st Class, Madhepura in connection with Gamharia P. S. Case No.178 of 2020, subject to condition that one of the bailors shall be the father of the petitioner.

The application stands allowed.

(Satyavrat Verma, J)

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