

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32763 of 2021

Arising Out of PS. Case No.-51 Year-2018 Thana- KHUDAGANJ District- Nalanda

Pradumman Kumar, Son of Binda Chaudhari, Resident of Village - Naudiha,
P.S.- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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 Khudaganj P.S. Case No. 51 of 2018 registered for the offence under Sections 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 11.02.2021 and charge-sheet has been submitted in this case. Further from perusal of the allegation as alleged in the F.I.R. it would manifest that on



10.05.2018 the informant started from Rajgir on Bolero Pick-up after loading detergent powder to Islampur and as he reached near Kewali turning he stopped the vehicle for attending natural call, when two persons came on motorcycle and took away his loaded Pick-up Bolero vehicle.

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 occurrence is alleged to have taken place on 10.05.2018 and the F.I.R. came to be instituted on 24.05.2018, which creates doubt with respect to the allegation as alleged in the F.I.R. Learned counsel for the petitioner further submits that the F.I.R. was instituted against two unknown persons though till date no Test Identification Parade has been conducted, despite the fact that the petitioner is in custody since 11.02.2021.

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

Considering the submission of the learned counsel for the petitioner and the fact that the petitioner is in custody since 11.02.2021, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of



Additional Chief Judicial Magistrate, Hilsa, Nalanda in
connection with Khudaganj P.S. Case No. 51 of 2018 subject to
the condition as laid down under section 437(3) of the Cr.P.C.

(Satyavrat Verma, J)

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