

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35511 of 2021**

Arising Out of PS. Case No.-270 Year-2020 Thana- RAJNAGAR District- Madhubani

Gullu Singh @ Yusuf S/o Sri Jaun Singh R/o village- Jurabganj, P.S.- Korha,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. APP

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

2 03-12-2021 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 Rajnagar P.S. Case No. 270 of 2020 dated 30.09.2020 instituted for the offences under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.10.2020, is a person with clean antecedent and charge-sheet has been submitted in the case.

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 on 28.09.2020 he withdrew Rs. 1 lakhs and kept the same in the dickey of his motorcycle and was moving towards home then on the way near Bhagwanpur Hat he stopped for purchasing potatoes and when he returned after making the purchase, he saw that his dickey was opened and there was no money, aadhar card and bank cheque book.

Learned counsel for the petitioner further submits that the petitioner is not named in the F.I.R. nor he was caught on the spot. Further, nothing incriminating has been recovered from his possession. During investigation it has come that Iron T type which is used for breaking the dickey and phone, sim were recovered from the possession of Gullu Singh @ Yusuf (petitioner) along with Rs. 35,000/- in cash.

Learned counsel for the petitioner submits that it has not come during the course of investigation that the said Rs. 35,000/- was part of looted money rather it was the money of the petitioner.

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 01.10.2020, charge-sheet has been submitted in the case



and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Madhubani in connection with Rajnagar P.S. Case No. 270 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

