

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28550 of 2020

Arising Out of PS. Case No.-374 Year-2015 Thana- GORAUL District- Vaishali

DEVENDRA RAI S/o Sathu Rai Resident of Village- Mahua Singh Rai, P.S.-
Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Goraul Police Station Case No. 374 of 2015, registered for the
offence punishable under Sections 413/414/34 of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the police conducted raid in the house of co-accused Md.
Aftab and recovered one stolen motorcycle from the said house
and upon query, co-accused Md. Aftab disclosed that he used to
sell stolen motorcycle with the help of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
the disclosure made by the arrested co-accused. He further



submits that no incriminating article has been recovered from the possession of the petitioner and the co-accused, from whose possession, the stolen motorcycle has been recovered, has been granted bail by this Court, vide order, dated 24.07.2017, passed in Criminal Misc. No. 10325 of 2017. He further submits that the petitioner is in custody since 15.06.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that no incriminating material and/or stolen motorcycle has been recovered from the petitioner and co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, Devendra Rai, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Goraul Police Station Case No. 374 of 2015.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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