

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43476 of 2021

Arising Out of PS. Case No.-404 Year-2020 Thana- MAHUA District- Vaishali

ANIL KUMAR @ ANIL KUMAR RAI @ ANIL RAY Son of Rajendra Ray
Resident of Village - Fatehpur Pakri, P.S. - Mahua, Dist. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-08-2021 Heard Mr. Rajeev Ranjan No.II, learned counsel for
the petitioner and Mr. Sanjay Kumar Singh, learned Additional
Public Prosecutor for the State through video conferencing.

Petitioner renews his prayer for regular bail in connection with Mahua PS Case No. 404/2020 registered for the offence punishable under Sections 395 IPC inasmuch as earlier bail application of the petitioner was rejected *vide* order dated 19.03.2021 passed in Cr. Misc No. 3973/2021 (Annexure-1) with liberty to renew his prayer for bail after four months.

The prosecution story is that while the informant was driving his Bolero pickup van loaded with 45 boxes of fish to Darbhanga *via* Hajipur, his vehicle was intercepted by five miscreants, who overpowering the informant, took away the pickup van along with boxes of fish and also snatched Rs. 1900/- along with the documents like Adhaar Card, Driving



License etc.

Learned counsel for the petitioner submits that looted pickup van was not recovered from the possession of the petitioner and petitioner is in custody since 21.07.2020 and other co-accused person has already been granted bail by a Bench of this Court in Cr. Misc. No. 2094/2021 *vide* order dated 26.03.2021 (Annexure-3).

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 21.07.2020, trial is not likely to be concluded in near future due to pandemic of COVID-19, co-accused person has already been granted bail by a co-ordinate Bench of this Court and this is the second attempt for bail on behalf of petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ANIL KUMAR @ ANIL KUMAR RAI @ ANIL RAY be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua PS Case No. 404/2020, subject to the following conditions:-



(a) The petitioner shall fully co-operate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be residents of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Anil Kumar Sinha, J)

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