

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34051 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- HAJIPUR District- Vaishali

1. AKHILESH KUMAR S/o Vimal Rai R/o Village- Terasiya, Pillar No.-10, P.S.- Ganga Bridge, Distt- Vaishali.
2. RANDHIR KUMAR @ RANDHEER KUMAR S/o Maheshwar Rai Resident of Village- Terasiya, Pillar No.-10, P.S.- Ganga Bridge, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar
For the Opposite Party/s : Mr.Arun Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-01-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Hajipur Town P.S. Case No. 98 of 2020 registered for the offence punishable under Section 379 of the Indian Penal Code.

The petitioners are in custody since 21.04.2020 in connection with the present case. A stolen motorcycle was recovered from their possession, which led to registration of Hajipur Town P.S. Case No. 282 of 2020. Subsequently, the petitioners were made accused in relation to the theft of the said vehicle.

Learned counsel appearing on behalf of the petitioners has submitted that there is no material to support the



case of the prosecution that the vehicle in question was stolen by them. He has submitted that merely because the motorcycle was recovered from their possession, for which initially an F.I.R. has been lodged, for the offence punishable under Sections 413, 414 and 34 of the Indian Penal Code, present case has subsequently been registered for commission of offence punishable under Section 379 of the Indian Penal Code. He has further submitted that charge-sheet has already been submitted and there is no chance of them fleeing from the course of trial.

Considering the aforesaid submission and the fact that the petitioners are in custody since 21.04.2020, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in Hajipur Town P.S. Case No. 98 of 2020.

(Chakradhari Sharan Singh, J)

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