

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34949 of 2020

Arising Out of PS. Case No.-100 Year-2020 Thana- BHARGAMA District- Araria

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GURUSHARAN MANDAL @ GURU SHARAN MANDAL @
GURUSHARAN KUMAR MANDAL son of KRISHAR MANDAL ALIAS
RAMKESHWAR MANDAL Resident of Village- Naya Bhargama, P.S.-
Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-01-2021 Heard the learned counsel for the petitioner and Sri
Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection
with Bhargama PS case no. 100 of 2020 instituted for the offence
punishable under Sections 379, 411, 413/34 of Indian Penal Code.

The petitioner is alleged to have stolen the car of
the informant and subsequently, the car was recovered from near a
hardware shop near railway crossing Banmankhi, Nagraahi.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is languishing in custody since
25.06.2020. It is further submitted that the stolen car has not been
recovered from the conscious possession of the petitioner but from



near a hardware shop.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, I find that the stolen car has not been recovered from the conscious possession of the petitioner, as such benefit of doubt can be granted to the petitioner for the purposes of granting the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st class, Araria in connection with Bhargama PS case no. 100 of 2020.

(Mohit Kumar Shah, J)

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