

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4060 of 2021

Arising Out of PS. Case No.-198 Year-2019 Thana- GOVINDPUR District- Nawada

1. SHANKAR KUMAR S/o Indradeo Saw Resident of Village-Akbarpur Nala Par, P.S.-Akbarpur, District-Nawada.
2. Suraj Kumar S/o Late Kishori Saw Resident of Village-Akbarpur Nala Par, P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Arjun Prasad, learned Advocate for the petitioners and Mr. Harendra Prasad, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Govindpur P.S. Case No. 198 of 2019 dated 16.10.2019 instituted for the offences under Section 414 of the Indian Penal Code.

The accusation in the FIR is that the petitioner was caught by the villagers with a motorcycle which was suspected to be stolen. On information to the police about this, the police arrived and took the petitioner to the local police station. However, because the petitioner had suffered an attack of epilepsy in the police custody, he was referred to a hospital for necessary treatment.



The brother of the petitioner was asked about the ownership of the vehicle in question. He is then said to have brought some documents which did not tally with the chasis and engine numbers of the vehicle.

The petitioner had disclosed upfront that he has purchased the vehicle from one Suraj Kumar. The document furnished by the brother of the petitioner, however, reveals that the vehicle still stands in the name of petitioner no. 2(Suraj Kumar). Assuming but not admitting, learned counsel for the petitioners asserts, that there is some anomaly in the documents relating to the vehicle but the petitioners cannot be held responsible for the same.

The petitioner no. 1 was earlier made accused in two cases of Excise Act in which he has been granted bail.

So far as petitioner no. 2 is concerned, it has been submitted that he too has been made victim of the circumstance as he has purchased a vehicle without genuine papers.

Regard being had to the nature of accusation against the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on



their furnishing bail bonds in the sum of Rs. 10,000/-
(Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned Sub-
Divisional Judicial Magistrate, Nawada in connection with
Govindpur P.S. Case No. 198 of 2019, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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