

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3987 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- NARAINPUR District- Bhojpur

SUBHAM KUMAR, Son of Sanjay Prasad, Resident of Village - Garhani,
Police Station - Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-03-2021 Heard Mr. Anil Kumar, learned Counsel for the

petitioner and Mr. A. L. Pandit, learned Additional Public

Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Narayanpur Police Station Case No. 70 of 2020, disclosing
offences under Section 414/34 of the Indian Penal Code.

The allegation, as per the First Information Report
is that police on the basis of secret information proceeded
towards Madanpur More at Narayanpur and upon seeing the
police party, three accused persons started fleeing away on
motorcycle and were apprehended by the police and police
recovered stolen grey colour Hero Honda motorcycle from their
possession. It has further been alleged that the name of the
petitioner has transpired on the basis of confessional statement



of the arrested co-accused, who disclosed that they have sold the stolen motorcycle to accused Suman Kumar and Daroga @ Rahul Kumar.

Learned counsel for the petitioner submits that the the name of the petitioner has been disclosed by the arrested co-accused persons and he is having no criminal antecedent. Learned counsel next submits that no incriminating material or stolen motorcycle has been recovered from the conscious possession of the petitioner and other co-accused persons whose name also transpired on the basis of confessional statement, i.e., Suman Kumar and Daroga @ Rahul Kumar have been granted bail by a Coordinate Bench of this court in Cr. Misc. No.40632 of 2020 and Cr. Misc. No.36824 of 2020 respectively. Learned counsel further submits that petitioner is in custody since 20.08.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner has got no criminal antecedent and no incriminating material and / or stolen motorcycle has been recovered from his possession and he is in custody since 20.08.2020 and similarly situated accused persons have been granted bail by this court, I am inclined to grant regular bail to



the petitioner.

Accordingly, let the petitioner, Subham Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Bhojpur, Ara, in connection with Narayanpur Police Station Case No. 70 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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