

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.5388 of 2021

Arising Out of PS. Case No.-412 Year-2020 Thana- ISLAMPUR District- Nalanda

KALENDAR KUMAR @ KALENDRA KUMAR SON OF RAMJI DAS @
RAMJI MOCHI RESIDENT OF DHAMAULI,P.S-ISLAMPUR,DISTT.-
NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 05-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for grant
of regular bail in connection with Islampur P.S. Case no.
412/2020 registered under section 379 of the Indian Penal Code to
which section 411 of the Indian Penal Code was added
subsequently.

As per allegation in the first information report, the
motorcycle of the informant was stolen by unknown accused
persons.

It is submitted by learned counsel for the petitioner that
the first information report was registered against unknown.
Further referring to the order of the learned Court below rejecting
the application for bail of the petitioner, it is submitted that the
name of the petitioner transpired in course of investigation when



on the confessional statement of co-accused Manish, the motorcycle in question was allegedly recovered from the house of the petitioner. It is submitted that the petitioner has no criminal antecedent and had kept the motorcycle at the instance of his co-villager Manish Kumar. He was not aware of the same to be stolen property. He is in custody since 21.7.2020, chargesheet has been submitted in the case and petitioner has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Islampur P.S. Case no. 412/2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate III, Hilsa, Nalanda.

(Partha Sarthy, J)

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