

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6161 of 2021

Arising Out of PS. Case No.-345 Year-2020 Thana- VAISHALI District- Vaishali

=====

Gaurav Singh Son of Sumangal Singh Resident of Village - Shyampur, P.S.-
Vaishali (Belsar O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2021 Heard Mr. Dharmesh Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Vaishali P.S. Case No. 345 of 2020 registered for the offences

punishable under Sections 413 and 414 of the Indian Penal Code

1860.

The allegation as per the First Information Report is

that the Police intercepted Motorcycle on which three persons

were riding and upon demand, no document of the Motorcycle

was produced before the Police. It has further been alleged that

the Motorcycle in question was stolen property.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case with oblique motive. Learned counsel further submits that the petitioner has no criminal antecedent and Section 413 Cr. P.C. is not applicable in the facts of the case. Learned counsel also submits that fact of the matter is that the petitioner has been pursuing his studies in West Bengal and had come to his native village during Holiday and on the date of occurrence, he had taken a lift on the Motorcycle which was intercepted and seized by the Police as a stolen property. Learned counsel next submits that the petitioner was not aware about the fact that the Motorcycle on which he had taken lift was stolen Motorcycle. The petitioner is in custody since 8.10.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record, *prima facie justification* given by the petitioner that he had taken lift on the Motorcycle and he is in custody since 8.10.2020 as well as charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Vaishali at Hajipur, in connection with Vaishali P.S. Case No.
345 of 2020.

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

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

