

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7876 of 2021

Arising Out of PS. Case No.-467 Year-2020 Thana- HILSA District- Nalanda

RABISH KUMAR Son of Shankar Prasad Resident of Village - Gaval
Bigaha, P.S.- Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-04-2021 Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Hilsa
P.S. Case No. 467 of 2020 registered for the offences punishable
under Section(s) 420 and 414/34 of the Indian Penal Code,
1860.

The allegation as per the First Information Report is
that the Police intercepted two Motorcycles upon which three
riders and two riders respectively were found sitting and upon
seeing the Police Party, the persons who were driving the
Motorcycles tried to flee away leaving the Motorcycles on spot
but, they were apprehended by the Police along with the
Motorcycles which were found to be stolen and upon query they



disclosed their names as Rabish Kumar (petitioner) and Nitish Kumar.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and from perusal of the First Information Report, it would be evident that the Motorcycles were being driven by some other persons and not by the petitioner. Learned counsel further submits that the petitioner was not aware about the fact that the Motorcycles in question were stolen and he was received by the co-accused persons from the Hilsa Railway Station. Learned counsel next submits that the co-accused Nitish Kumar has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No.3289 of 2021 and the petitioner is in custody since 21.9.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the Motorcycle was not being driven by the petitioner and similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, 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, Hilsa, Nalanda, in connection with Hilsa P.S. Case No. 467 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)

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