

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8451 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- SABAUR District- Bhagalpur

Sushil Kumar Son of Sri Shyam Mandal R/O Village- Madhuban, P.S.- Uda
Kishunganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-07-2021 Heard learned counsel for the petitioner and
learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sabaur P.S. Case no. 146 of 2020 registered under section 392 of the Indian Penal Code to which sections 395 and 412 of the Indian Penal Code were added subsequently.

As per allegation in the F.I.R., the driver of the tractor was forcibly dispossessed with the tractor by three accused persons.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against three unknown. The name of the petitioner transpired in the confessional statement of co-accused Gautam Kumar made before police. Even as per the



said confessional statement, the allegation is not of petitioner having participated in the occurrence but of the stolen tractor having been kept at the door of the petitioner for its disposal. The petitioner has not been put on T.I. parade. He has no criminal antecedent and is in custody since 5.6.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner having remained in custody for over one year and investigation in the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sabaur P.S. Case no. 146 of 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 Chief Judicial Magistrate, Bhagalpur.

(Partha Sarthy, J)

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