

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7787 of 2021

Arising Out of PS. Case No.-415 Year-2020 Thana- GORAUL District- Vaishali

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1. VIKASH KUMAR, SON OF DHARMENDRA PASWAN, Resident of Village - Sarmaspur Jhitkahi, P.S.- Goraul, O.P.- Kartaha, Distt.- Vaishali.
 2. Rakesh Raushan Son of Shivchandra Singh Resident of Village - Rampur Sarottar, P.S.- Goraul, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Adv.
For the Opposite Party/s : Mr.Shailendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual Court proceedings.

The petitioners seek bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

Allegation against the petitioners alongwith other
accused persons is said to have looted the articles including
motorcycle from the informant.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case only on suspicion. There is no any incriminating articles
has been recovered from the conscious possession of the
petitioners and there is no T.I. Parade till date. The petitioners



are languishing in judicial custody since 20.10.2020. The petitioners have got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court.

Learned APP for the State vehemently opposed the prayer for bail application and submits that on the confessional statement of petitioner no. 2, the looted motorcycle was recovered.

Considering the aforesaid facts and circumstances of the case, let the petitioner no.1, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Goraul P.S. Case No. 415/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

So far as petitioner no.2 is concerned, there is specific allegation against him, I am not inclined to enlarge the petitioner no.2 on bail. Accordingly, the prayer for bail of the petitioner no.2 is rejected in connection with Goraul P.S. Case No. 415/2020 from the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

However, the petitioner no.2 is at liberty to renew his



prayer for bail after framing of the charge.

(Anjani Kumar Sharan, J)

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