

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5590 of 2022

Arising Out of PS. Case No.-335 Year-2021 Thana- RAMPUR District- Gaya

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1. VIKRAM KUMAR Son of Krishna Ram Resident of Village - Nagmatiya Road, Baniya Pokhar, P.s.- Civil Lines, Distt.- Gaya.
 2. Sonu Kumar Son of Late Sohan Ram Resident of Village - Nagmatiya Road, Baniya Pokhar, P.s.- Civil Lines, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The present bail application has been taken out of turn based on the mentioning made by the learned counsel for the petitioners that accused Sonu Kumar is seriously ill inside the jail which is evident from the letter dated 21.04.2022 issued by the Superintendent of Central Jail, Gaya to the Superintendent A.N.M.M.C.H., Gaya.

The petitioners seek bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



petitioners are in custody since 09.10.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that allegation is of recovery of a stolen motorcycle from the possession of the petitioner for which they were not able to produce any document except that they had purchased motorcycle from a person at Wazirganj for Rs. 12,000/-

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, the bike was not a stolen bike, further there was no case instituted prior to the institution of the present case by the owner of the bike alleging that his bike was stolen, as such it is submitted that Section 414 does not get attracted in the facts of the case.

Learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody since 09.10.2021, charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending/successor court in connection with Rampur P.S. Case No. 335 of 2021.

The petitioners shall be released only after the learned court below has sought a report from the Superintendent of Central Jail, Gaya with regard to Letter No. 2373/Jail dated 21.04.2022 and if the report records that the letter is genuine, the petitioners shall be released and in the event, if the report records that the said letter is not genuine, then the present order will not come into effect.

(Satyavrat Verma, J)

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