

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7477 of 2022

Arising Out of PS. Case No.-540 Year-2021 Thana- DANAPUR District- Patna

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Prakash Kumar Son Of Sarvan Pandit R/O Village- Hulasi Sultanpur
(KOAIRAI Tola), P.S.- Danapur, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Usha Kumari Singh, Advocate.
	:	Mr. Bijay Bhushan Prasad, Advocate.
For the Opposite Party/s :		Mr. Uma Shankar Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Danapur P.S. Case No. 540 of 2021 lodged under Sections 411,
413, 414, 467, 478, 471/34 of the Indian Penal Code.

The prosecution case is that the police got
information that some person have come near Gosai Tola for the
purpose of selling the theft motorcycle. With a view to verify
the said information, the police reach there and on seeing the
police party, the accused persons have fled away. There were 5
persons caught raid handed, they have disclosed their name
including the present petitioner from whose possession theft



motorcycles were recovered from the possession of the present petitioner and also upon verification from D.T.O. office, it has been found the motorcycle belongs to one Rahul Kumar Gaurav.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that he is in custody since 11.08.2021 and charge sheet has already been framed in this case. He further submits that the accused person namely, Chandan Kumar with similar allegation has been granted bail by the Co-ordinate Bench of this Court vide order dated 11.07.2022 passed in Cr. Misc. No. 485 of 2022. He is ready to fulfill all the conditions. Learned counsel for the petitioner has raised a plea that Chandan Kumar was granted bail with a condition that he may be released after framing of charge.

Learned counsel for the State opposes the prayer for bail and submits that in the case diary, the material has come that all the accused persons were found with theft motorcycle, and they are basically member of gang.

Considering the facts and circumstances and submissions made above of this case, the petitioner is directed to released on bail only after framing of charge to the satisfaction of learned Court below.



With this observation, the bail application stands
disposed of.

(Dr. Anshuman, J.)

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