

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13018 of 2022

Arising Out of PS. Case No.-377 Year-2021 Thana- WAJIRGANJ District- Gaya

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Vikash Kumar Son of Vijay Kumar Resident of Village Poora Barauni, P.S.
Wazirganj in the District of Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No. 377 of 2021 lodged under Sections
413, 414/34 of the Indian Penal Code.

The case of prosecution is that the A.S.I. was on
patrolling then he was reported that two persons are detained for
taking petrol in their vehicle and said vehicle was alleged to be
theft one.

Learned counsel for the petitioner submits that the
petitioner is innocent and he is a student of graduation. He
further submits that there were two persons apprehended from
the petrol pump, one is the petitioner and another is Rishikant



Das. Rishikant Das was granted bail by the Lower Court itself. Learned counsel for the petitioner further submits that this motorcycle was actually belongs to Sita Ram Das from whom he has taken and visited to the petrol pump to take petrol and that time the police reached and caught both of them. In the case diary, it has been mentioned that one of the motorcycle belongs to Ajay Kr. Son of Raj Nanadan Prasad who lodged a case about theft of his motorcycle as Khudagand P.S. Case No. 101 of 2020, about the criminal history there is only one case pending against the petitioner about which the petitioner has mentioned in paragraph 3 of the petition as well as the same case is mentioned in paragraph 32 of the case diary also. Learned counsel for the petitioner further submits that he is in custody since 18.08.2021.

Learned counsel for the petitioner further submits that the case is fixed for framing of charge.

Learned counsel for the State opposes the prayer for bail and request that charge has not been framed in this case and after bail he may not support in the trial.

Considering the facts and circumstances and the submissions made above Trial Court is directed to released the petitioner furnishing bail bond to his satisfaction only after



framing of charge.

With this direction the application is disposed of.

(Dr. Anshuman, J.)

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