

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38548 of 2021

Arising Out of PS. Case No.-49 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

DEEPAK @ DIPU KUMAR SINHA @ DIPAK KUMAR @ DIPU Son of
Sanjeet Kumar Sinha @ Sanjeet Sinha Resident of Mohalla - Budhaul New
Area, P.S.- Nagar (Nawada), District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms.
Sharda Kumari, the learned APP for the State.

The petitioner seeks regular bail in connection with Muffasil PS case no. 49 of 2021 instituted for the offences punishable under Sections 413, 414 of Indian Penal Code.

The allegation is regarding the police having received secret information that three miscreants had assembled at the godown of one Raju Kumar for selling the stolen motorcycle, whereafter police at arrived at the place of



occurrence and the said three miscreants including the petitioner herein, were apprehended by the police. Thereafter, search was made and the stolen motorcycle was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 15.02.2021. The learned counsel for the petitioner has further submitted that a bare perusal of the F.I.R. would show that the co-accused person namely Chandan Kumar had sold the stolen motorcycle to one Karan Choudhary, thus the petitioner is having no role to play in the alleged occurrence.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the main accused in the present case appear to be the co-accused persons namely Chandan Kumar and Karan Choudhary, who have already been granted bail by co-ordinate Benches of this Court vide order dated 14.12.2021 passed in Cr. Misc. no. 37397 of 2021 and by an order dated 03.11.2021 passed in Cr. Misc. no. 44949 of 2021



respectively, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Sessions Judge, Nawada in connection with Muffasil PS case no. 49 of 2021.

(Mohit Kumar Shah, J)

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