

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50144 of 2021

Arising Out of PS. Case No.-185 Year-2021 Thana- GOGRI District- Khagaria

Nitish Kumar Son Of Shri Ram Sao Singh Resident Of Village - Baltara, P.S.-
Gogari (Poura), District - Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar
For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Gogri
(Poura) P. S. Case No.185 of 2021, instituted for the
offences under Section 379/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that
the petitioner is in custody since 13.06.2021, charge-sheet
has been submitted in the case and has antecedent of one
case under Section 498A of the I.P.C. as mentioned in Para-
3 of the bail petition.

The learned counsel for the petitioner submits that
the informant alleges that a motorcycle was stolen in the
night of 05.05.21, which was registered in the name of his



brother-in-law (Prashant Kumar). Further one villager disclosed that he had seen the petitioner along with two unknown persons taking away the motorcycle.

The learned counsel for the petitioner submits that petitioner has been falsely implicated for the reason that the petitioner and the informant in Panchayat Election were supporting rival candidate and thus, by way of after thought, the informant implicated the petitioner in the case as the F.I.R. was instituted after a delay of three days without any plausible explanation. It is submitted that date of occurrence is 05.05.21 and the F.I.R. came to be instituted on 08.05.2021

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and the F.I.R. was instituted after a delay of three days without any plausible explanation, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of



learned C.J.M., Khagaria in connection with Gogri (Poura)

P. S. Case No.185 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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