

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50855 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- BENIPATTI District- Madhubani

MITHLESH SHARMA Son of Late Baleshwar Sharma Resident of Village-
Harakh, P.S.- Begusarai Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per the prosecution case, accused persons forcibly overpowered the driver and *khalasi* of the truck, injected them with intoxicant and thereafter looted the truck along with the goods loaded thereon.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of Yogendra Yadav. Subsequently, allegedly the truck in question was recovered from the garage of the petitioner. It is submitted by learned counsel for the



petitioner that contrary to the allegation, it was the driver of the vehicle who had brought the same for repairs. The petitioner is in custody since 13.3.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Benipatti P.S. Case no. 42 of 2021 (G.R. no.145 of 2021) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 1st, Benipatti, Madhubani.

(Partha Sarthy, J)

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