

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52157 of 2021

Arising Out of PS. Case No.-129 Year-2021 Thana- KAUWAKOL District- Nawada

Sudip Kumar @ Sudeep Kumar Son Of Mahesh Prasad Resident Of Village -
Benipur, P.S. - Rupah (Kawakole), Dist. - Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh
For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Kawakole
(Rapau) P. S. Case No.129 of 2021, instituted for the offences
under Section 392 of the Indian Penal Code and later on,
Sections 395 and 412 of the I.P.C. was also added.

The learned counsel for the petitioner submits that the
petitioner is in custody since 10.05.2021, charge-sheet has been
submitted in the case and has one antecedent as mentioned in
Para-3 of the bail petition.

The learned counsel for the petitioner submits that
allegation is of looting the mobile and motorcycle of informant
by four unknown criminals.

The learned counsel for the petitioner submits that the



F.I.R. is against unknown and the name of this petitioner transpired in the case based on the information provided by the police spy and thereafter, the confessional statement was recorded. It is further submitted that the police alleges that based on the confessional statement, the looted motorcycle was recovered.

The learned counsel further submits that from perusal of the F.I.R., it would manifest that the motorcycle which is alleged to be looted is of a different brand while the motorcycle which is alleged to have been recovered is of different brand (Yamaha). It is further submitted that the alleged recovered motorcycle belongs to the petitioner and in support of the same, Annexure-2 has been annexed.

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 alleged recovery is of a different motorcycle and also taking into consideration the submission made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of learned A.C.J.M.-4th,
Nawada in connection with Kawakole (Rapau) P. S. Case
No.129 of 2021, subject to condition that one of the bailers shall
be the father of the petitioner namely, Mahesh Prasad.

The application stands allowed.

(Satyavrat Verma, J)

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