

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55803 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- MAGADH UNIVERSITY District- Gaya

NITISH KUMAR Son of Ramlakhan Yadav Resident of Village - Chandrahi,
P.S.- Kasma, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Magadh University P.S. Case No. 30 of 2021 instituted for the
offence under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.07.2021, has antecedent of one
case under the Excise Act and charge-sheet has been submitted.

Allegation is of theft of motorcycle by unknown
criminal.

Learned counsel for the petitioner submits that during
the course of investigation, it transpired that the stolen
motorcycle was recovered from the petitioner and also based on



his confession 60 litre liquor was also recovered.

Learned counsel for the petitioner submits that the petitioner has purchased the motorcycle and thus was not aware that motorcycle was stolen one and as far as recovery of liquor is concerned for that a separate case has been instituted which has become an antecedent as mentioned in para three of the bail application.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and prior to the occurrence was a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Magadh University P.S. Case No. 30 of 2021.

(Satyavrat Verma, J)

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