

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55958 of 2021

Arising Out of PS. Case No.-631 Year-2020 Thana- HILSA District- Nalanda

Md. Bittu @ Sikandar Alam Son of Ali Hasan Resident of Village - Malikana,
P.S.- Masaurih, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umeshanand Pandit

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. Mr. Pawan Kumar Chourasia 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
Hilsa P.S. Case No. 631 of 2020 instituted for the offences
under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 25.12.2020, charge-sheet has been
submitted and has antecedent of two cases.

Learned counsel for the petitioner submits that
allegation is of looting of a pick-up van and a mobile from the
driver of the informant by unknown criminals. Learned counsel
for the petitioner submits that name of the petitioner transpired



in the confessional statement of co-accused Narayan Kumar. Learned counsel submits that Narayan Kumar was arrested on 22.12.2020 and based on his confessional statement the petitioner came to be arrested on 25.12.2020. Learned counsel submits that similarly situated co-accused Niraj Kumar @ Ravi Bhushan has been granted bail vide order dated 8.2.2022 in Cr. Misc. No. 51813 of 2021. The learned counsel further submits that though in the investigation it is alleged that the looted pick-up van was recovered from Mahalaxhmi Garage at the instance of Narayan Kumar and the petitioner but in reality it was Narayan Kumar who disclosed before the police about the loot of vehicle where he had sold and thereafter, based on his confessional statement the petitioner and Niraj Kumar came to be implicated. Learned counsel submits that it was Narayan Kumar who had committed the occurrence and falsely implicated the petitioner along with Niraj Kumar. Learned counsel further submits that the looted vehicle was recovered from Mahalaxhmi Garage which was sold by Narayan Kumar for Rs. 80,000/-.

The learned APP opposes the bail application and submits that once the petitioner is enlarged on bail then he would abscond as he has antecedent of two cases and will try to



delay the trial by not allowing the charges to be framed.

Considering the fact that the petitioner is in custody since 25.12.2020, charge-sheet has been submitted and name of the petitioner transpired in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs.20,000/- (**Rupees Twenty Thousand**) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Hilsa (Nalanda), in connection with Hilsa P.S. Case No. 631 of 2020.

The petitioner shall be released after framing of charges.

(Satyavrat Verma, J)

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