

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59276 of 2021

Arising Out of PS. Case No.-190 Year-2021 Thana- RAJAPAKAR District- Vaishali

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AAYUSH KUMAR S/o Mahant Laxman Das Resident of Mohalla-
Andarkila, Konhara Ghat Road, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Rajapakar (Branti OP) P.S. Case No. 190 of 2021, registered for the offence punishable under Sections 380 and 411 of the Indian Penal Code.

The allegation is that while three miscreants were trying to steal the motorcycle of the informant, who is a motorcycle mechanic, the informant woke up on account of the noise being made by the said miscreants and upon alarm being raised, the people from nearby had assembled and had apprehended the petitioner



while the other two co-accused persons managed to flee away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 17.7.2021. It is further submitted that at best, the present case can be stated to be a case of an attempt to steal motorcycle, however, actually, no theft had taken place.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Rajapakar (Branti OP) P.S. Case No. 190 of 2021.

(Mohit Kumar Shah, J)

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