

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68731 of 2021

Arising Out of PS. Case No.-184 Year-2020 Thana- BACHHWARA District- Begusarai

SAURAV KUMAR Son of Sri Lal Mandal Resident of Village - Loknathpur,
Ganj Road, Ward No.11, P.s.- Dalsinghsarai, Distt. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Adv.

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State, Sri Arvind Kumar Pandey.

The petitioner seeks regular bail in connection with Bachhwara P.S. Case No. 184/20, registered for the offence punishable under Section 392 of the Indian Penal Code.

The case of the prosecution in brief is that



while the informant was returning back to his home on his motorcycle from Muzaffarpur on the alleged date and time of occurrence, three persons, riding on a black colour motorcycle, had suddenly intercepted him and had looted his motorcycle on gun point.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is submitted that only after the petitioner was arrested in connection with one other case, he has been remanded in the present case on 7.1.2021. It is also submitted that though the petitioner is an accused in two other cases, but he is on bail in the said two cases. Lastly, it is submitted that as far as the recovery of stolen motorcycle is concerned, the same has been recovered from the house of the co-accused person, hence, the petitioner is not having any complicity in the matter.

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 fact that the stolen motorcycle has not been recovered from the petitioner, apart from the fact that he is stated to have been remanded in the present case after he was arrested in one other case and he is languishing in custody since a long time, 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 C.J.M., Begusarai in connection with Bachhwara P.S. Case No. 184/20.

(Mohit Kumar Shah, J)

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