

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70377 of 2021

Arising Out of PS. Case No.-259 Year-2021 Thana- BIDUPUR District- Vaishali

SAURABH KUMAR @ SHUKLA Son of Vinod Singh Resident of
Ramdauli, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Dilip Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-08-2022 Heard Mr. Yogesh Chandra Verma duly assisted by

Dilip Kumar Singh, learned counsel for the petitioner and

learned counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Bidupur P.S. Case No. 259 of 2021 for the offences under
Sections 392 and 412 of the Indian Penal Code.

The allegation in the FIR is that on 17.05.2021, four
unknown accused persons on two motorcycles intercepted the
informant and decamped with his motorcycle, Rs. 5000/- cash
and other important documents. Accordingly, the FIR was
lodged against unknown.

During the course of investigation on the confessional



statement of accused, Sumit Kumar, the name of the petitioner cropped in and after his arrest, it is alleged that the motorcycle of the informant was recovered/seized.

Learned Senior counsel for the petitioner submits that he belongs to a poor family and under bona fide belief, he purchased the said motorcycle from co-accused, Sumit Kumar little realizing that the same is a looted motorcycle. He further submits that petitioner is a student of B.A. Part -I and for the said purchase of the looted motorcycle, he is in jail since 12.07.2021 (as stated in paragraph-14 of the bail application). He lastly submits that one Ravi Kumar @ Prakash Kumar has since been released on bail by a co-ordinate Bench of this Court vide order dated 30.05.2022 passed in Cr. Misc. No. 297 of 2022.

Let the copy of the order be kept on record.

Considering the aforesaid facts that the petitioner, is a student of B.A. Part -1, has been remanded in this case on 12.07.2021, coupled with the fact that one of the co-accused has been granted bail by a co-ordinate Bench of this Court and charge sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 259 of 2021, subject to the following conditions-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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