

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16799 of 2023**

Arising Out of PS. Case No.-470 Year-2022 Thana- BYPASS District- Patna

SANJAY KUMAR @ SANJAY KUMAR SRIVASTAVA SON OF
UPENDRA SRIVASTAVA R/O AT PRESENT ADDRESS - 90 FEET N.H.
30, OPPOSITE RAM KRISHNA NAGAR, P.S.- RAMKRISHNA NAGAR,
DISTRICT - PATNA, PERMANENT ADDRESS VILLAGE - SUHAI,
RAHIMPUR, JUGDISHPUR, P.S.- VAISHALI, DISTRICT - VAISHALI

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the Opposite Party/s : Mr. Binod Kumar , Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 19-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered
for the offence punishable under section 379/34 of the
Indian Penal Code.

It is alleged that all the FIR named accused
persons including this petitioner have committed the theft
of 8 wheel trailer of the informant near choudhry petrol



Pump.

It is submitted that petitioner name has been transpired only on the basis of confessional statement of the boy who has been seen on the C.C TV footage at the time of occurrence and was taken on remand by the police for investigation. No incriminating material has been recovered from the possession of the petitioner. It is further submitted that petitioner is also owner of two wheel trailer bearing Registration Number NL-ON- 8962 and NL 01G9572 which was already been parked at the time of occurrence and at the same time he had gone to pick it up there. So no case is made out under section 379 against the petitioner. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M.-VI, Patna City in connection with ByPass P.S. case no 470 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Kaushik/-

U		T	
---	--	---	--

