

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60166 of 2022

Arising Out of PS. Case No.-601 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

MD RAJU Son of Md. Saukat Ali @ Md Saukat R/o Mohalla- Ishakchak,
Ward No. 47, P.S- Ishakchak, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar,Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Kotwali (Tilkamanjhi) P.S. Case No. 601 of 2022, registered for the offences punishable under Sections 379, 411/ 34 of the Indian Penal Code.

The informant along with the police force was on patrolling duty on the alleged date and time of the occurrence and when he had reached at the gate of Sandish Compound, he found two person loading tiles on a toto rickshaw and upon seeing the police vehicle, the accused



persons started fleeing away, however, upon chase they were caught and upon enquiry they disclosed their names as Md Raju (petitioner herein), and Shukur Kumar. The police force is stated to have made search and 15 small packets of Somany tiles were recovered.

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 18.07.2022. The learned counsel for the petitioner has further submitted that the petitioner is owner-cum-driver of toto rickshaw in question and he had been hired for the purpose of ferrying tiles, hence, he did not have any knowledge that the tiles in question are stolen ones, 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 on record as also considering the fact that the petitioner is owner-cum-driver of the toto rickshaw and he had been hired to carry the seized tiles, apart from the fact that he is having a clean antecedent, 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 Judicial Magistrate-1st Class, Bhagalpur, in connection with Kotwali (Tilkamanjhi) P.S. Case No. 601 of 2022.

(Mohit Kumar Shah, J)

kanchan/Sonal-

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

