

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60590 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- LODIPUR District- Bhagalpur

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GULSHAN KUMAR Son of Gorakh Prasad Yadav R/v- Shitla Sthan Chowk,
Mirjanhat, P.S.- Mojahidpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suman Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Lodipur P.S. Case No.137 of 2022, registered for the offences punishable under Sections 379/411 of the Indian Penal Code.

The allegation is regarding the e-rickshaw of the informant having been stolen by unknown miscreants.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since



10.06.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one other case, but he is on bail in the said case. It is further submitted that the stolen e-rickshaw has not been recovered from the possession of the petitioner and the petitioner has got no complicity in the present case and he has been roped in the present case merely on the confessional statement of co-accused person namely, Vivek Kumar Sharma.

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 no stolen e-rickshaw has been recovered from the possession of the petitioner, 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., Bhagalpur in connection with Lodipur P.S. Case No.137 of 2022.

(Mohit Kumar Shah, J)

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