

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62188 of 2022

Arising Out of PS. Case No.-339 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. Krishan Kumar @ Rahul @ Krisha Kumar S/o Pramod Mahto
 2. Ram Vivek Kumar S/o Ram Binod Thakur
Both resident of village- Ratwara, P.S.- Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Begusarai Muffasil (Lakho) P.S. Case No. 339 of 2021 registered for the offence punishable under Section 379 of the Indian Penal Code.

As per the prosecution, the informant's vehicle was stolen away by some unknown miscreants from the alleged



place.

The main submissions advanced by the learned senior counsel Mr. Ajay Kumar Thakur for the petitioners are that for the first time the petitioners were arrested in connection with Hirodih P.S. Case No. 49 of 2021 and thereafter they were remanded in the present matter as well as in eight other criminal cases and both the petitioners have been granted bail in all the said cases including Hirodih P.S. Case No. 49 of 2021 in which their bail was granted by Jharkhand High Court and during the investigation the police did not recover the alleged vehicle from the possession of the petitioners and the same was recovered from the garage of one namely, Md. Ali and the petitioners have been languishing in jail in the instant matter since 03.08.2022 and the alleged offence is triable by 1st Class Magistrate.

Learned APP Mr. Surendra Prasad Singh appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly the facts that the alleged theft vehicle was not recovered from the possession of the petitioners and the same was recovered from the possession of co-accused as per the order of learned court below and the petitioners are stated to have been remanded in the present matter from an other P.S. Case in which



they have got bail though against the petitioners there are several antecedents but they have got bail in all the said cases as per the statement made in their petition and also considering the custody period of the petitioners, this court is inclined to accept their bail prayer. Accordingly, let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Begusarai Muffasil (Lakho) P.S. Case No. 339 of 2021.

(Shailendra Singh, J)

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