

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63568 of 2022

Arising Out of PS. Case No.-254 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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ABHIRANJAN KUMAR @ BITTU S/O - Ashok Kumar Rai @ Ashok
Kumar Ray R/O Village- Balua, P.S- Sakra, District-Muzzafarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-03-2023 Let the defects, 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 petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Samastipur Muffasil P.S. Case No. 254 of 2018 (T.R. No. 86/2022) registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

As per the prosecution, the informant alleged that on 14.04.2018 at 9:00 P.M., he parked his motorcycle in front of his neighbour's house and on the next day, the motorcycle was not



found at the alleged place and the wooden door of the parking was also found broken. It is further alleged that the informant's motorcycle was stolen by someone.

The main submissions advanced by petitioner's counsel are that the petitioner's prayer for bail was rejected by the trial Court mainly on the basis of his criminal antecedents and as per the FIR, the alleged occurrence of theft took place on 14.04.2018 but the FIR was lodged by the informant on 12.05.2018 and regarding the said delay, no explanation was given by the informant and the petitioner was remanded in the present matter from another P.S. Case but after his arrest in the present matter, the police did not recover any incriminating material from his conscious possession and he has been languishing in jail since 16.09.2022 and the chargesheet has been submitted against the petitioner in the present matter.

Learned APP appearing for the State has opposed the bail prayer but fairly accepted that the prayer for bail made by the petitioner was rejected by the trial Court mainly on the basis of his criminal antecedents.

In view of the facts, as stated above, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner 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 Court concerned in connection with Samastipur Muffasil P.S. Case No. 254 of 2018 (T.R. No. 86/2022).

(Shailendra Singh, J)

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