

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78180 of 2023

Arising Out of PS. Case No.-371 Year-2023 Thana- BAKHTIYARPUR District- Patna

Sunil Kumar @ Sunil Yadav Son Of Arjun Singh Resident Of Village -
Chanda, P.S. - Athmalgola, District - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. case No. 371 of 2023 (giving rise to G.R. No.
2041 of 2023) instituted for the offences under Sections 414/34
of the Indian Penal Code.

3. On the alleged date and time of the occurrence, on
seeing the police party, the driver and passengers of the
motorcycle and tractor tried to flee away but the person sitting
on the trailer of the tractor was apprehended. The apprehended
person disclosed his name as Sunil Kumar (Petitioner). Police
recovered 500 litres of illegal diesel from the tractor.

4. It has been submitted on behalf of the petitioner that



the petitioner is in custody since 08.09.2023 and has one criminal antecedent but of different nature. The petitioner has falsely been implicated in the present case. Petitioner has no concerned with the alleged recovery of diesel or motorcycle and tractor. Petitioner is neither the driver nor the owner of the vehicle from which the recovery has been made.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner is neither the owner nor the driver of the vehicle from which recovery has been made, as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhtiyarpur P.S. case No. 371 of 2023 (giving rise to G.R. No. 2041 of 2023).

(Rudra Prakash Mishra, J)

Alok Verma/-

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