

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.844 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- SITAMARHI District- Sitamarhi

Golu Kumar Son Of Shivjee Seth Resident Of Village- Shahpur, P.S.-
Shahpur, District- Bhojpur At Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sitamarhi P.S. Case No. 131 of 2022 registered under sections 406, 420 and 34 of the Indian Penal Code.

As per the allegation in the F.I.R., informant along with one Jitendra Kumar Tiwary with his driver went to Patna by her car bearing Registration No. BR06PF-2290 to attend her sick son. It is also said that informant kept Rs. 1,00,000/- in her car and the said driver was brought by co-accused Jitendra Kumar Tiwary. It is further alleged that co-accused Jitendra Kumar Tiwary and his driver took away the informant's car carrying the above said amount in disguise of attending any



ailing relative. Thereafter, they did not return with her car and also did not respond on phone call. Thereafter, this case has been registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is delay of around two months in lodging the F.I.R. without any valid explanation. It is further submitted that the informant has a temporary residence in Ara (Bhojpur) and she has voluntarily kept the petitioner as her driver and this case has only been filed to resolve the dispute relating to the payment of the petitioner. It is also submitted that later on the vehicle of the informant was recovered by the police. The petitioner has no concern with this alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 22.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be enlarged on bail in connection with Sitamarhi P.S.
Case No. 131 of 2022 on furnishing bail bond of Rs. 10,000/-
(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Chief Judicial Magistrate,
Pupri, Sitamarhi.

(Sunil Kumar Panwar, J)

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