

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1785 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- SIMRI District- Darbhanga

Mintu Kumar, Son of Dwarik Yadav R/o Village - Chak Chechaul, P.S.-
Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Pandit, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Sheo Nandan Pandit, learned counsel appearing on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Simri P.S. Case No. 127 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

It is alleged that some unknown miscreants looted the vehicle containing goods of Amazon company worth Rs. 39,16,721.95/-.

Learned counsel appearing on behalf of the petitioner submits that the FIR has been instituted against unknown



miscreants, however, during the course of investigation, the name of the petitioner has transpired on the basis of mobile tower location and, save and except the aforesaid fact, there is no other material suggesting the complicity of the petitioner in the present crime. He also submits that other co-accused persons who was also apprehended in connection with the present case, they have been allowed the privilege of bail by the learned Court in Cr. Misc. No. 67740 of 2022 vide order dated 27.02.2023 and Cr. Misc. No. 69624 of 2022 vide order dated 13.04.2023. He lastly submits that the petitioner is in custody since 11.07.2022 and he is having fair antecedent.

On the other hand, learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that nothing incriminating material has been recovered from the person or possession of the petitioner and, moreover, the other co-accused persons having similar allegation have been allowed the privilege of bail by the learned Court, let the petitioner, named above, be released 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 Additional Chief Judicial



Magistrate – IV, Darbhanga in connection with Simri P.S. Case No. 127 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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