

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75017 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- MEHANDIGANJ District- Patna

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Bittu Kumar Son of Late Baiju Prasad Resident of Village- Hilsa, P.S. - Hilsa,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Mehandiganj P.S. Case no.90 of 2024 registered for the offence punishable under sections 379, 461 and 411 of the Indian Penal Code.

3. As per the prosecution case, the informant states that in the morning on opening of godown, his staff discovered that a theft had taken place and two laptops and one e-rickshaw were missing. As such, the FIR was registered against unknown.

4. Learned counsel for the petitioner submits in reference to the order of the learned trial Court that in course of investigation, a co-accused namely Ravish Kumar was caught



and from his possession, an e-rickshaw was recovered. The petitioner has been falsely implicated in the case in the statement of the said co-accused made before police, the statement being to the effect that it was the petitioner who had given him the said e-rickshaw. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession and he has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court, the name of the petitioner transpiring in the statement of a co-accused made before police, no incriminating article having been recovered from the petitioner's possession and the petitioner not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mehandiganj P.S. Case no.90 of 2024 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 Judicial Magistrate 1st Class, Patna City, District Patna.

(Partha Sarthy, J)

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