

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26487 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Balmukund @ Baila Son of Sri Baleshwar Prasad, Resident of Village -
Karhain, P.S. - Bohoswari, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Kishore Prasad Sinha, Advocate.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 20.03.2016 in
connection with Bihar P.S. Case No. 110 of 2016 registered for
offences under Section 379 of the Indian Penal Code.

The prosecution story, as alleged by informant is that his
TVS Apache motorcycle No. BR-S2-8525 was stolen away by
some one in the night of 15.03.2016 at about 11 A.M. which was
parked near the house of Kamlesh Prasad. During course of
investigation, the stolen motorcycle was recovered from the
possession of the petitioner along with the key of the said
motorcycle.

On behalf of the petitioner, it is submitted that the petitioner

is in custody since 20.03.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. The recovery of theft motorcycle is denied by learned counsel for the petitioner. Other co-accused namely, Amrendra Kumar, has been granted bail vide Cr. Misc. No. 20367 of 2016.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 110 of 2016. .

(Sudhir Singh, J)

Prakash/-

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