

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50845 of 2016

Arising Out of PS.Case No. -236 Year- 2016 Thana -ALOU LI District- KHAGARIA

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Nitish Kumar Son of Ramanand Yadav resident of Village - Bartar (Raun),
Police Station - Alauli, District - Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party : Mr. Abhay Kumar – 1, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in custody since 19.09.2016 in
connection with Alauli P.S.Case No.236 of 2016 for offence
alleged under Sections 379 and 414 of the IPC.

The prosecution case is that on secret information with
regard to sale of stolen motorcycle informant along with police
force reached at the place of occurrence and saw six persons riding
on three motorcycles whom they tried to stop but four persons
along with one motorcycle managed to escape and two persons
including the petitioner were arrested with two motorcycles. He
further alleged that the apprehended accused persons disclosed
that the motorcycle no.BR-9N/9782 is stolen and which was

brought for sale and with regard to motorcycle bearing registration no.BR-9P/6148, the petitioner has disclosed that the same belonged to his father-in-law.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that the motorcycle which was found in his possession belongs to his father-in-law for which father-in-law has filed an application before the learned court below for release of the seized motorcycle. He further submits that chargesheet has already been submitted, hence there is no chance of tampering with the evidence.

However, learned APP for the State submits that the petitioner was apprehended with the motorcycle, hence opposes the prayer for bail.

Be that as it may, let the above named petitioner 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 learned CJM, Khagaria in connection with Alauli P.S.Case No.236 of 2016.

(Nilu Agrawal, J)

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