

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45409 of 2016

Arising Out of PS.Case No. -171 Year- 2016 Thana -MARHAURA District- SARAN

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Badari Rai, Son of Late Punkal Rai, Resident of village- Hasanpura, P.S.-
Marhowrah, District- Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 05-12-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
18.08.2016 in connection with Marhowrah P.S. Case No. 171/16
for offences punishable under Sections 413, 414, 467, 468, 471,
120-B of the Indian Penal Code.

The prosecution case, as lodged by the police, is
that on secret information they searched the house of the petitioner
and found a stolen motorcycle in his house, which the family
member stated that it belonged to the son of the petitioner. During
search, the sale letter of motorcycle by one Manoj Kumar Manjhi
was found, which was denied by the said person.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has falsely been implicated in



the aforesaid case. He submits that the motorcycle did not belong to the petitioner and was purchased by his son from Manoj Kumar Manjhi and has annexed the sale and purchase letter issued in this connection. He further submits that even otherwise no offence is made out against him, as neither he was the seller nor purchaser of the alleged motorcycle. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the charge-sheet has already been submitted and petitioner's liberty on bail would not adversely affect his trial, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Saran at Chapra, in connection with Marhowrah P.S. Case No. 171/16.

(Nilu Agrawal, J.)

Rajesh/-

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