

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25985 of 2016

Arising Out of PS.Case No. -722 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Shivajee Patel Son of Rajbansh Singh Resident of Village - Sikthi, P.S. -
Bhabua, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 16-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Section 379 of the Indian Penal Code.

Allegation is that informant went inside the Khaki Ghosai
Temple keeping his motorcycle outside but after returning from
temple he found the same missing. Petitioner has been made
accused on his confession during investigation.

It has been submitted on behalf of the petitioner that he is
in custody since 28.12.2015. Chargesheet has been submitted
against the petitioner. No allegation of tampering of witnesses is
alleged against the petitioner. Petitioner is not named in the F.I.R.
No allegation for offence under Section 379 of the Indian Penal
Code is made out. At best, it is a case under Section 411 of the
Indian Penal Code. Petitioner had no knowledge that the
motorcycle in question was a theft property.

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

Considering the aforesaid facts and circumstances, let the
above named petitioner be released on bail on furnishing bail bond

of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur (Bhabua), in connection with Bhabua P.S. Case no. 722 of 2015.

(Sudhir Singh, J)

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