

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29204 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. PREM PRAKASH KUMAR son of Rajendra Ram, resident of Village-
Bariyariya, P.S- Sangrampur, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Smt. Asha Kumari, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 31.01.2016 in a
case registered for offences punishable under Section 394 of the
Indian Penal Code.

The prosecution case as lodged on the basis of the
F.I.R. which was registered by the informant, Ramlila Sah before
Officer-in-Charge, Madhuban, P.S.- East Champaran at Motihari
alleging therein that on 30.01.2016 while he was going to his
house on motorcycle bearing registration No. BR06AV9251, in
the meantime a stone was thrown by someone upon him and
thereafter he fell down and then three miscreants came and looted
away his motorcycle.

It has been submitted by the learned counsel for the

petitioner that the petitioner has not been named in the F.I.R. and just because another co-accused Md. Aftab Alam was caught with the motorcycle of the petitioner and on the confessional statement of the co-accused Md. Aftab Alam, the petitioner has been made accused.

It has further been submitted that the petitioner is a motorcycle mechanic and on the alleged date and time of the occurrence, co-accused Md. Aftab Alam came to the garage of the petitioner for repairing of the said motorcycle and during course of trial of the motorcycle, they were intercepted by the police. He further submits that no T.I.P has been done so far. Nothing has been recovered from the conscious possession of the petitioner.

Under such circumstances, considering the period of custody, let the above named petitioner, namely Prem Prakash Kumar 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Madhuban P.S.Case No. 22 of 2016.

(Nilu Agrawal, J)

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