

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37489 of 2016

Arising Out of PS.Case No. -213 Year- 2016 Thana -MARHAURA District- SARAN

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Niraj Kumar Singh Son of Late Ram Balak Singh resident of Village Awari,
P.S. Marhowrah, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Avinash

For the Opposite Party : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 414 and 413/34 of the Indian Penal Code.

The prosecution story, in brief, is that the informant
received secret information that a theft motorcycle bearing no.
BR-01BB/7621 is going towards Marhowrah station with theft
parts of motorcycle and accordingly, he moved towards
Marhowrah station and caught a person, who disclosed his name
as the petitioner and on being demand about the paper, the
petitioner did not produce the same and from his possession one
green colour Tank of passion pro motorcycle, wiser mudguard etc
have been recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.05.2016. The charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The petitioner had no knowledge that the motorcycle in question happened to be a stolen one. It is further submitted that the petitioner may be released after completion of nine months in custody i.e. from 10.05.2016.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R. and a stolen motorcycle is said to have been recovered from his possession.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail, after completion of nine months in custody i.e. from 10.05.2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Chapra at Saran in connection with Marhaura P.S. Case No. 213 of 2016 corresponding to G.R. No. 3032 of 2016.

(Sudhir Singh, J.)

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