

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25991 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -WARISNAGAR District- SAMASTIPUR

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Mukesh Kumar Rai @ Mukesh Rai, son of Tilakdhari Rai, resident of
Village- Mannipur, Police Station- Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
23.02.2017 in connection with Warisnagar (Mathurapur) P.S. Case
No. 44 of 2017 registered for the offence punishable under Section
414 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that during patrolling, they found the petitioner with
stolen motorcycle and on enquiry he could not produce any paper
relating to the said motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has been falsely implicated in the
aforesaid case and has been implicated in another case, bearing



Samastipur (Muffasil) P.S. Case No. 79 of 2017 lodged for the theft of same motorcycle. He submits that he has no involvement in the commission of the offence and he is a bona fide purchaser of the said motorcycle from one Pawan Kumar Mahto. It has also been submitted that except the two cases lodged for the theft of the same motorcycle, petitioner has no criminal antecedent and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Warisnagar (Mathurapur) P.S. Case No. 44 of 2017, subject to the condition that petitioner will cooperate with the trial and appear before the learned Court below as and when required, failing which his bail bonds shall be liable to be cancelled.

(Nilu Agrawal, J.)

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