

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46397 of 2017

Arising Out of PS.Case No. -272 Year- 2014 Thana -BHAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Manish Kumar Singh Son of Ram Lakhan Singh, R/o Village- Babui Tola, P.S.- Bagha, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mitali

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned counsel for the State.

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

As per the prosecution case, the informant kept his motorcycle bearing registration no. UP-57L-0337 at his door, which has been stolen by some unknown thieves.

Earlier the bail application of the petitioner was rejected vide Annexure-1 to the present application.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.07.2016. Charge has been framed. There is no allegation of tampering of witness alleged against the petitioner. The petitioner has been made accused due to mistake of



fact. The petitioner is not named in the F.I.R. The alleged recovered motorcycle has not been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. The alleged recovered motorcycle has also not been put on T.I.P. The other similarly situated co-accused has already been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No.12491 of 2016 dated 18.03.2016.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned A.C.J.M., Bagaha, West Champaran, in connection with Bagaha P.S. Case No. 272 of 2014, Tr. No.1934/2016.

(Sudhir Singh, J)

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