

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54248 of 2017

Arising Out of PS.Case No. -302 Year- 2017 Thana -BAHERA District- DARBHANGA

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Rohit Kumar @ Rohit Kumar Sahani, S/o Raj Kumar Sahani, resident of
Village- Nainaghat, Police Station- Darbhanga Sadar, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Bahera
P.S. Case No. 302 of 2017 registered under Section 379 of the
Indian Penal Code.

Motorcycle of the informant is said to have been
stolen by some unknown miscreants.

It is submitted by learned counsel for the petitioner
that the petitioner is neither named in the F.I.R. nor any
incriminating article has been recovered from his conscious
physical possession rather the stolen motorcycle was recovered at
Badhai Tole Canal. There is nothing in the case diary indicating
the complicity of the petitioner in the occurrence barring his



confessional statement before the police which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 05.09.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate, Benipur, district-Darbhanga in connection with Bahera P.S. Case no. 302 of 2017.

(Prakash Chandra Jaiswal, J)

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