

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53979 of 2017

Arising Out of PS.Case No. -379 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Vikash Kumar Rai, Son of Ram Babu Rai, Resident of Village- Madhopur,
P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Hajipur
Town P.S. Case no. 379 of 2017 registered for the offence
punishable under Section 379 of the Indian Penal Code.

Motorcycle of the informant is said to have been
stolen by some unknown miscreants from the premises of S.B.I.
main Branch.

It is submitted by the learned counsel for the
petitioner that the petitioner is not named in the FIR and no
incriminating article has been recovered from his conscious
physical possession. Though, the said motorcycle is said to have
been recovered from the door of the petitioner, but it is quite



impracticable that a person will keep the stolen article at his door instead of keeping hidden in his house. As a matter of fact, the said motorcycle was recovered from the road, but the police has falsely obtained his signature on the blank paper and has shown the recovery from the door of the petitioner. There is nothing in the record indicating complicity of the petitioner barring confessional statement of co-accused namely, Ranjan Kumar Rai. The petitioner has been languishing in custody since 01.07.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali, Hajipur in connection with Hajipur Town P.S. Case no. 379 of 2017.

(Prakash Chandra Jaiswal, J)

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