

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.283 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Lattu Kumar Yadav Son of Nandu Rai
2. Bhukhal Kushwaha @ Bhukhal Prasad Kushwaha Son of Vurai
Kushwaha Vurai @ Ghurai Pd. Kushwaha Both Resident of Village-
Rajapur Mathia, Police Station-Kotwa, District-East Champaran

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Section 379 of the Indian Penal Code.

The prosecution story, in brief, is that the Hero Honda
Splendor Pro motorcycle of the informant was found missing
while the said motorcycle was parked in front of his grocery shop.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 03.09.2016. The charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is not named in the F.I.R. He has not been put on T.I.P.



There is no recovery of any incriminating article from the possession of the petitioner. Except for the confessional statement of co-accused, there is no other substantive evidence to suggest his implication in the present case.

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.-11th, East Champaran at Motihari in connection with Kesariya P.S. Case No. 167 of 2016.

(Sudhir Singh, J.)

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