

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53118 of 2016

Arising Out of PS.Case No. -401 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Shyam Nath Mahato, Son of Ram Pravesh Mahato of Village Pakri Ismail,
P.O. Ladaura Pakri, P.S. Sadar, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Prasad, Advocate.

For the Opposite Party : Mr. Umeshnand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 26.08.2016
in connection with Sadar P.S. Case No. 401 of 2016 for the
offences instituted under Sections 414, 420 and 120(B)/34 of the
IPC.

The prosecution story, in brief, is that the informant
arrested two persons. They confessed that they were involved in
committing theft of motorcycle. On their confession, three
motorcycles were recovered from Vickky Kumar. Co-accused
Sunil Kumar in his confession, named 12 persons including the
petitioner as associates in committing theft of motorcycle and



selling.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.08.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has falsely been implicated in the present case. He is not named in the F.I.R. He has been named by co-accused in his confession. Nothing has been recovered from his possession. It is further submitted that the petitioner may be released on bail after completion of seven months in custody from 26.08.2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of seven months in custody from 26.08.2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Sadar P.S. Case No. 401 of 2016.

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(Sudhir Singh, J)

