

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31900 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -BIHIYA District- BHOJPUR

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Pankaj Thakur @ Pankaj Kumar Thakur Son of Shiv Narayan Thakur,
Resident of Village- Bhual Chapra Badki Nauranga, P.S.- Bairya, District-
Balua, Uttar Pradesh.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-07-2017 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in connection with Bihiyan
P.S. Case No. 90 of 2017 for the offence under section 379 of the
Indian Penal Code.

Allegation against the petitioner is that he was
involved in theft of motorcycle bearing registration no.
BR03J8316.

Submission on behalf of the petitioner is that nothing
was recovered from the possession of the petitioner. The stolen
motorcycle was recovered in front of the temple and no effort was
made to ascertain who was involved in the commission of crime.
Inasmuch as the CCTV camera installed at the gate of the bank



side and other places was not taken note to ascertain the real culprit. The 'Durga Mandir' from where the motorcycle was recovered was a public place and as such the petitioner cannot be fasten with any criminal accountability because he was present at the place where motorcycle was standing.

Considering the aforesaid facts and circumstances, let the petitioner, named above, 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 learned Additional Chief Judicial Magistrate-Vth, Bhojpur at Ara, in connection with Bihiyan P.S. Case No. 90 of 2017 on the condition that the petitioner will cooperate in the trial and will not, in any manner, influence the evidence or the witnesses.

(Anil Kumar Upadhyay, J)

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