

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46132 of 2017**

Arising Out of PS.Case No. -353 Year- 2016 Thana -SAMASTIPUR District- SAMASTIPUR

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Sudhir Kumar S/o Binod Sah, R/o Village Kothiya, P.S. Chakmahesi,  
District- Samastipur. .... Petitioner.

Versus

The State of Bihar. .... Opposite Party.

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**Appearance :**

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Ataur Rahman

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

**ORAL ORDER**

02 20-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Samastipur Town P.S.

Case No. 353/2016 registered under Section 379 of the Indian  
Penal Code.

As per the prosecution case, motorcycle of the  
informant was stolen by some unknown miscreants from the State  
Bank of India's premises.

It is submitted by learned counsel for the petitioner  
that the petitioner is neither named in the F.I.R. nor he was  
apprehended on the spot though the stolen motorcycle was  
recovered from his possession but the said motorcycle was  
purchased by him from Anikat Kumar Rai and Ram Prasad Rai  
bona fide recognizing them owner of it. Moreover, the  
petitioner has been enlarged on bail by this Court which has been



lodged against him regarding the said recovery of motorcycle from his possession. Petitioner has been remanded from the said case and has been languishing in custody since 24.07.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No.353/16.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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