

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5714 of 2018

Arising Out of P.S.Case No. -370 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Manish Kumar, Son of Suresh Sah, Resident of Village- Chhoti Mirzapur, P.S.- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 02-02-2018

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 30.10.2017 in connection with Kotwali P.S. Case No. 370/2016 registered for the offences punishable under Sections 379/411 of the Indian Penal Code.

Learned counsel for the petitioner submits that an abandoned motorcycle has been recovered from the Darwaza of the petitioner, but for the said motorcycle no case has been registered. It is further submitted that the said recovery was not from his conscious possession and, therefore, he cannot be saddled with the allegation that he had participated with the theft of the said vehicle. It is further submitted that in connection with Kotwali P.S. Case No. 376 of 2017 registered for the offence punishable under Sections 379/411, the petitioner was apprehended once and has already been granted bail.

Considering the vague nature of allegations made against the petitioner and that the recovery of the motorcycle from the outside the house of the petitioner cannot be saddled on his shoulder, let the petitioner



above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger, in connection with Kotwali P.S. Case No. 370/2016.

(Anjana Mishra, J)

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