

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51960 of 2018

Arising Out of PS.Case No. -142 Year- 2018 Thana -SAMASTIPUR District- SAMASTIPUR

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Ramesh Kumar @ Ram Ekbal, Son of Sita Ram Das, resident of Village-Khabar Parti Tola, Ward No. 10, Sadar Muzaffarpur, District- Muzaffarpur (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 20-09-2018

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Samastipur Town P.S. Case No. 142 of 2018 registered for the offence punishable under Sections 411, 313, 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per allegations when the informant was at Tajpur Road, he saw a motorcycle without number plate and as such caught hold of that motorcycle. The person riding the motorcycle could not give satisfactory reply and no paper could be produced.

It is further alleged that lastly the person disclosed his guilt and he disclosed his name Abhiranjan Kuamr alias Bittu. Learned counsel submits that neither the petitioner was arrested with the motorcycle nor any motorcycle was recovered from his possession. The name of the petitioner was transpired in the confessional statement of



co-accused Abhiranjan Kumar. Learned counsel submits that the motorcycle in question which has been allegedly recovered from the house of the petitioner was not in conscious possession of the petitioner and it is nothing but a case of false implication. Learned counsel further submits that this petitioner has got no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner has no criminal history and he is said to be in custody since 19.05.2018, and the investigation is already completed, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) 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. 142 of 2018, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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