

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17500 of 2018**

Arising Out of PS.Case No. -969 Year- 2017 Thana -FORBESGANJ District- ARRARIA

1. Mohan Kumar Roy @ Mohan Roy S/o Binod Roy, R/o Village- Kurhmala, Ward No. 7, P.S.- Jogbani, District- Araria.

.... .... Petitioner/s

Versus

## 1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2 30-03-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

A stolen motorcycle was allegedly recovered from possession of the petitioner. The FIR is against unknown.

Submission is that the petitioner is in custody since 29.11.2017. Petitioner has got no criminal antecedent. Investigation of the case is already complete and the petitioner is ready to cooperate with the trial. Moreover, the recovered motorcycle does not resemble to the stolen motorcycle as per chassis, engine etc. mentioned in the FIR and seizure list.

Considering the fact that petitioner has no explanation for possession of the said motorcycle, presumption is



there against the petitioner that he was in possession of the stolen property, hence, let the petitioner, above named, be released on bail **on completion of six months of custody** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Forbesganj Police Station Case No. 969 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

