

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36263 of 2018

Arising Out of PS.Case No. -92 Year- 2018 Thana -KUCHAIKOTE District- GOPALGANJ

=====

1. Tuntun Kumar Sah @ Tuntun Kumar @ Tuntun Kumar Sahni, Son of Alakh Sahni @ Alakh Mallah, Resident of Village- Salonepur, Police Station- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-07-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Kuchaikote P.S. Case No. 92/2018 dated 27.03.2018 instituted for the offences under Sections 420, 379 and 34 of the Indian Penal Code.

The informant has alleged that he wanted to sell his vehicle in the second hand. For the purposes of purchasing the aforesaid vehicle, two persons arrived at his house on a motorcycle and the informant permitted them to take a test drive of the vehicle. Leaving their motorcycle in the house of the informant, the aforesaid two persons fled away with the car of the informant. On the basis of the aforesaid allegation, the F.I.R. was registered against unknown. However, during the course of the investigation, the police was informed that the stolen vehicle is coming from Siwan to Thawe. A



raid was conducted and it was found that the vehicle had fallen in a ditch. Other occupants of the car had run away but two persons were found sitting in the car; one being the petitioner.

The learned counsel for the petitioner has submitted that he was a gratuitous passenger, who had taken lift in the said vehicle and only because he was caught sitting in the vehicle, he has been made accused in the present case.

The petitioner does not have any criminal antecedent and he is in custody since 06.04.2018.

Considering the aforesaid facts and also the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VII, Gopalganj in connection with Kuchaikote P.S. Case No. 92/2018.

(Ashutosh Kumar, J.)

Rakhi

U		T	
---	--	---	--

