

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35080 of 2018

Arising Out of PS.Case No. -9 Year- 2017 Thana -SONBERSA District- SAHARSA

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1. Nitish Panjiyar, Son of Ganesh Yadav, Resident of Village- Arsi, Ward No.9, P.S.- Sonbarsa Raj, District- Sharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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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 Sonbarsa Raj (Kash Nagar O.P.) P.S. Case No. 09/2017 dated 23.01.2017 instituted for the offence under Section 392 of the Indian Penal Code.

The informant who was travelling with his father was waylaid by miscreants and his motorcycle was snatched. Other personal belonging of the informant was also taken away. Immediately after the occurrence, the police received secret information that the stolen motorcycle is kept in the house of the petitioner. When the police party reached the village of the petitioner, he is alleged to have run away. He was identified by one of the members of the police party fleeing away. Later, the stolen motorcycle was found abandoned in a field. Two of the witnesses to



the seizure-list have expressed their knowledge about the petitioner having kept the stolen motorcycle.

The learned counsel for the petitioner has submitted that the seizure-list does not disclose that the vehicle was found after a hot chase. There is no evidence of the participation of the petitioner in the occurrence, in which the motorcycle in question was looted. Assuming, it has been argued, that the vehicle for sometime was kept in the house of the petitioner and that an effort was made by the petitioner to run away from the police, at best, it would be a case of Section 414 of the Indian Penal Code.

In any view of the matter, since the petitioner is in custody since 14.01.2018, 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 Chief Judicial Magistrate, Saharsa in connection with Sonbarsa Raj (Kash Nagar O.P.) P.S. Case No. 09/2017.

(Ashutosh Kumar, J.)

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