

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3385 of 2019

Arising Out of PS. Case No.-628 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Shailendra Gond Shiv Shankar Gond @ Shiv Shankar Sah, Resident of
Village- Prem Hata, P.S.- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar. Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2019

At the outset, the learned counsel for the petitioner seeks to make correction in paragraph no. 12 of the petition.

Let the same be done during the course of the day.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Siwan Muffasil P.S. Case No. 628 of 2018, registered for the offence punishable under Sections 413, 414 of the Indian Penal Code.

The allegation is regarding recovery of stolen Royal Enfield Bullet Motorcycle from the house of the co-accused person, namely, Rajan Tiwari and upon disclosure made by him, the house of the petitioner was raided, however, a motorcycle was recovered not from his house but from a



place outside the gate of the house of the petitioner.

The learned senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is submitted that the motorcycle has been admittedly seized from a place situated outside the house of the petitioner, hence, he cannot be connected with the alleged crime. It is further submitted that there is no material on record to suggest that the motorcycle seized from outside the house of the petitioner is a stolen one. It is further submitted that the petitioner is having a clean antecedent and he is languishing in custody since 11.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 628 of 2018.

(Mohit Kumar Shah, J)

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