

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6274 of 2019

Arising Out of PS. Case No.-294 Year-2017 Thana- AMARPUR District- Banka

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Pawan Kumar, son of Arvind Ray, Resident of Village – Deghara, P.S.-
Barahat, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
15.07.2017 in connection with Amarpur P.S. Case No.294 of
2017 registered for the offences punishable under Section 411 of
the Indian Penal Code.

Prosecution case as per the FIR is that the informant
parked his motorcycle in front of the temple and went to attend
a dinner party and when he came back, he found his motorcycle
missing, leading to the registration of the F.I.R. It is alleged that
the said motorcycle was recovered from the petitioner's
possession.

It is submitted by learned counsel for the petitioner
that the petitioner was standing near the motorcycle and on the



basis of suspicion, he has been robbed in the present case. Statement has been made in para 3 of the bail application that the petitioner is not having criminal antecedent.

Learned A.P.P. vehemently opposed the prayer for bail and submits that the recovery has been made from the possession of the petitioner.

Considering the fact that the seizure list does not suggest recovery from the possession of the petitioner and the fact that the investigation have already been concluded coupled with the fact that the petitioner is not having criminal antecedent, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarapur P.S. Case No.294 of 2017.

(Dinesh Kumar Singh, J)

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