

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8000 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- KADAMKUAN District- Patna

MD. RAJA, aged about 22 years, Male, Son of Md. Anwar, Resident of Choti Masjid Karbala, P.S. - Sultanganj, District – Patna ... Petitioner
Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Digvijay Narayan Singh, Adv.
For the Opposite Party : Mr. Ansar Ul Haque, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 13.10.2018 in connection with Kadamkuan P.S. Case No. 306 of 2018 (G.R. No. 3455 of 2018) for the offence alleged under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that he had parked his motorcycle in front of the house, but, it went missing.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case only on the confessional statement of co-accused. The motorcycle of the petitioner alleged to have been recovered from the house of the petitioner was planted by the police. It is, further, submitted that



charge sheet has already been submitted, there being no allegation of tampering with the prosecution witness.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kadamkuan P.S. Case No. 306 of 2018 (G.R. No. 3455 of 2018) to the satisfaction of the learned Additional Chief Judicial Magistrate, VII, Patna, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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