

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11167 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- MADHEPURA District- Madhepura

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SUBHASH KUMAR, aged about 28 years(Male), Son of Umakant Mehta
Resident of Village - Tulsi Bari, P.S. +Distt. - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-02-2019 Heard both sides.

The petitioner apprehends his arrest in Madhepura P.S. Case No.44 of 2018 registered under Section 379 of the Indian Penal Code.

The informant lodged the case against unknown for theft of his motorcycle bearing registration No.BR-43C-7802. The informant further alleged that on the same day another motorcycle bearing registration no.BR-10T-6782 was also stolen by unknown thieves.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. One Gurudev Kumar was apprehended and he disclosed the names of his accomplices. Gurudev further disclosed that he came with contact with the petitioner with the help of Prabhakar Kumar and others and on such, he used to give stolen motorcycle to the petitioner for selling in the market. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession of the petitioner save and except the confession of



the co-accused to which the accused disclosed that the petitioner used to sell the stolen motorcycle on commission. There is no material against the petitioner. Other accused persons have already been granted regular bail.

Considering the fact that even the apprehended accused did not disclose the fact that petitioner committed theft of the motorcycle and nothing has been recovered from the possession of the petitioner and he has got no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No.44 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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