

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17345 of 2019**

Arising Out of PS. Case No.-384 Year-2018 Thana- WAJIRGANJ District- Gaya

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KAMENDAR KUMAR Son of Kapil Yadav Resident of Village - Amaitha
P.S.- Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary
For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
04.12.2018 in a case registered for the offence punishable
under Sections 413 and 414 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report of Sujeet Kumar, Inspector-cum-SHO,
Wazirganj Police Station submitted before the ACJM-I, Gaya
is to the effect that one stolen motorcycle was recovered from
the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has maliciously been roped in the present
case and the investigation has already been concluded. It is
further submitted that similarly situated co-accused Rajesh



Manjhi and Dhaneshar Manjhi have been granted bail by a Co-ordinate Bench of this Court vide order dated 07.03.2019 passed in Criminal Miscellaneous No.14233 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the stolen motorcycle has been recovered from the conscious physical possession of the petitioner.

Considering the fact that the investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Gaya in connection with Wazirganj P.S. Case No.384 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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