

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15463 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- CHHATAPUR District- Supaul *

GANESH SAH, aged about 32 years, Male, Son of Fani Lal Sah, Resident of
Village – Gwalpara, Ward No. 9, P.S.- Chhatapur, (Rajeshwari O.P.), District
– Supaul ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
14.01.2019 in connection with Chhatapur P.S. Case No. 10 of
2019 for the offences alleged under Sections 414 and 34 of the
Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty they received
information that the petitioner has concealed a stolen
motorcycle in his house. On raid, a motorcycle was recovered
from the courtyard of the petitioner, who stated that he had
purchased the said motorcycle from one Lalan Paswan and did
not know that it was a stolen motorcycle. Thereafter, raid was
conducted in the house of co-accused, Lalan Paswan, who had
absconded.

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. He submits that he



did not know that motorcycle was stolen one, which he had purchased on payment of Rs.20,000/- and has been falsely implicated in the aforesaid case. Petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

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

Considering the facts and circumstances, the nature of allegations and that the petitioner does not have any criminal antecedent, 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 Chhatapur P.S. Case No. 10 of 2019 to the satisfaction of the learned Additional Chief Judicial Magistrate, IV, Supaul, subject to the folwing 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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