

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25170 of 2019

Arising Out of PS. Case No.-828 Year-2018 Thana- TURKAULIYA District- East
Champaran

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SHARWAN KUMAR Son of Ramnath Prasad Resident of Village- Singhia
Sagar, P.S.- Banjaria (Turkaulia), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anis Akhtar
For the Opposite Party/s : Mr.Ashraf Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Turkaulia
(Banjaria) P.S. Case No. 828 of 2018 instituted for the offence
under Section(s) 379 of the Indian Penal Code. Later on
Sections 411, 414 of IPC were added.

It is alleged in the written report that on the date of
occurrence informant went inside his house after parking his
motorcycle. The informant returned then he found his
motorcycle was missing.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. Name of this
petitioner has come during investigation as mentioned in the



impugned order, which is found mentioned in para 21 of case diary that the petitioner along with other co-accused were arrested by the police with stolen motorcycle.

Learned counsel for the petitioner has submitted that seizure-list is part of F.I.R. from which it appears that seizure of motorcycle has been made from the road in front of Siswania Chawk. Seizure-list does not show that motorcycle has been recovered from the conscious possession of petitioner. He has been arrested merely on suspicion.

Petitioner is in custody since 13.12.2018 having clean antecedent.

Considering the aforesaid, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkaulia (Banjaria) P.S. Case No. 828 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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