

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28546 of 2019

Arising Out of PS. Case No.-321 Year-2017 Thana- MAHESI District- East Champaran

Rambharosh Sah Son of Sakaldev Sah Resident of Village - Hasanpurwa,
P.S.- Chakiya, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Mehsi P.S. Case No. 321 of 2017 registered for the offence
punishable under Sections 413, 414 of the Indian Penal Code.

During vehicle checking, one Santosh Kumar was
apprehended along with stolen motorcycle and as per his
revelation, he has taken the aforesaid motorcycle from his
brother-in-law (petitioner), who had purchased it from one
Radha Mohan Rai.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and has committed no
offence. Petitioner has no concern with the aforesaid



occurrence. He has been falsely implicated in this case. Petitioner had neither purchased the aforesaid motorcycle from Radha Mohan Rai nor handed over to Santosh Kumar. He has no concern with the aforesaid motorcycle. There is nothing cogent on record indicating complicity of the petitioner in the occurrence barring confessional statement of Santosh Kumar, which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. East Champaran, Motihari in connection with Mehsi P.S. Case No. 321 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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