

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33234 of 2019

Arising Out of PS. Case No.-107 Year-2018 Thana- DEODHA District- Madhubani

Rakesh Kapar, Son of Ram Bhagat Kapar, resident of Village - Makhnaha,
P.S.- Savaila, District- Dhanusha, Nepal

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Madan Kumar

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

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Deodha P.S. Case No.107 of
2018 registered under Section 414 of the Indian Penal Code.

A stolen motorcycle is said to have recovered from the
possession of the petitioner. The said motorcycle was hailing to
one Md. Abdul Kayum and was released in his favour by the
Court.

It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. The petitioner
has committed no offence and has no concern with the aforesaid
occurrence. No incriminating article has been recovered from
his conscious physical possession. As a matter of fact, the



motorcycle was parked on the road near the Bhagwati Chowk and the petitioner was passing through the place of occurrence at the time of occurrence and has been falsely implicated in this case at the instance of his enemy by planting the said recovery from his possession. The petitioner has been languishing in custody since 17.09.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate-IV, Madhubani in connection with Deodha P.S. Case No.107 of 2018.

(Prakash Chandra Jaiswal, J)

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