

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34653 of 2019**

Arising Out of PS. Case No.-787 Year-2018 Thana- SITAMARHI District- Sitamarhi

VINIT KUMAR SINGH Son of Fulbabu Singh Resident of Village-  
Madhuban Ward No. 6, P.S. and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Zainul Abedin

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

2      28-05-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since  
18.08.2018 in a case registered for the offence punishable  
under Section 379 of the Indian Penal Code.

It is alleged that the informant's motorcycle parked  
in front of a doctor's clinic was stolen, leading to registration  
of FIR against unknown. Subsequently, two motorcycles,  
including the stolen motorcycle of the informant, were  
recovered from the house of co-accused Dheeraj Kumar,  
where the petitioner was found present at the time of recovery  
and he confessed his guilt.

It is submitted by learned counsel for the petitioner  
that admittedly the alleged recovery has not been made from



the conscious physical possession of the petitioner and on conclusion of investigation, the charge-sheet has been submitted against the petitioner under Sections 379, 411/34 of the IPC. It is further submitted that though the petitioner is accused in five other cases, but in all the cases, he has been acquitted.

Learned APP for the State submits that though the stolen motorcycle was recovered from the possession of co-accused Dheeraj Kumar, but the petitioner was found present at the place of recovery.

Considering the nature of accusation and the investigation already being concluded, 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 CJM, Sitamarhi, in connection with Mehsaul (O.P.) Sitamarhi P.S. Case No. 787 of 2018.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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