

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38759 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- KONCH District- Gaya

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Girdhar Mohan Kashyap, son of Baiju Kumar, resident of village
Manjhiyama, Police Station Kurtha, District Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Ahtasham Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 379 of the Indian Penal Code.

Prosecution case, in short, is that the motorcycle of
the informant parked by the side of the road was stolen away by
two unknown persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 1.3.2019 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. The petitioner has been made accused due
to previous enmity. The petitioner is not named in the F.I.R.
Except for recovery of motorcycle in question from the



possession of the petitioner, there is no other substantive evidence to suggest his implication in the present case. The informant is a witness to the commission of theft. The petitioner has not been put on T.I.P. to ascertain his participation in commission of theft.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Gaya in connection with Konch P.S. case No.63 of 2019.

(Sudhir Singh, J)

Narendra/-

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