

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44484 of 2019

Arising Out of PS. Case No.-737 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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DIPESH KUMAR Son of Shyama Bhagat Resident of Village- Surha, P.S.-
Muffasil, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Motihari Town P.S. Case No.737 of 2018 registered under
Sections 413 and 414 of the Indian Penal Code.

The accusation is that in course of patrolling duty, the
informant along with other police personnel received
information to the effect that two boys with stolen motorcycles,
for selling the same to a person, are standing in front of the
Garaj of Mustafa Mistri at Kuwari Devi Chowk. Thereafter, the
informant along with police personnel reached there, where two
boys were standing and two motorcycles were parked. On
seeing the police party, both boys started to flee away but one



boy was apprehended, who disclosed his name as Rajan Prasad and he also disclosed the name of the petitioner, who succeeded to flee away. The apprehended accused also disclosed that they had come to sell the motorcycles, which were stolen by Sonu Kumar alias Munnu Kumar and Vivek Kumar. The apprehended accused Rajan Prasad could not produce any paper regarding the motorcycles.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather his name has been disclosed by the apprehended accused Rajan Prasad. In fact, the petitioner is accused in two more cases, as detailed in paragraph-3 to this application, due to that reason the police falsely implicated the petitioner in the present case, showing the confessional statement of the apprehended accused Rajan Prasad.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, in connection with Motihari Town P.S.



Case No.737 of 2018, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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