

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50042 of 2019

Arising Out of PS. Case No.-77 Year-2018 Thana- PRATAPGANJ District- Supaul

SUBHASH KUMAR, Male, age about 24 years, Son of Kashindra Yadav,
Resident of Village- Thalha, Chaampa Nagar, P.S.- Raghapur District- Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arun Kumar Jha, Advocate.

For the Opposite Party : Mr.Arbind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
18.07.2018 in a case for the offence registered under Section
379 of the IPC.

The prosecution story, in brief, is that on 26.05.2018
the informant Shambhu Das alongwith one Sunil Das was going
to the *Sasural* of Sunil Das with a Motorcycle bearing No. BR-
50E-5324 which was registered in the name of Kasindra Das
(father of Sunil Das). When he reached near Pratapganj Chawk,
he had parked the Motorcycle near A.T.M., at 9.00 P.M. in the
night and went to market and when the informant and Sunil Das
returned, they found that the Motorcycle was stolen away.

It has been submitted by learned counsel for the



petitioner that the petitioner has been made accused in the present case due to mistake of fact. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. On the basis of self confession of the petitioner, the stolen Motorcycle in question is alleged to have been recovered. The petitioner had no knowledge that the Motorcycle in question is a stolen property.

On behalf of the learned counsel for the State, it has been 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 the learned S.D.J.M., Birpur, Supaul, in connection with Pratapganj P.S. Case No. 77 of 2018.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

