

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54163 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

Chotu Kumar @ Chotu Mandal Son of Ram Pragas Mahto @ Jhotomandal
Resident of Village - Nimachakhaidar, P.S.- Chakmaisi, dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-08-2019 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.

Allegedly, the motorcycle of the informant, parked out of
the hospital, was found missing.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 30-03-2019. Charge sheet has
already been submitted. The petitioner is not named in the FIR.
Theft motorcycle was recovered from outside the house of the
petitioner. The petitioner had no knowledge that the motorcycle
in question is a stolen property. The case is triable by the



Magistrate. The petitioner has been made accused in the present case due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/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 Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 128 of 2019.

(Sudhir Singh, J)

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