

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55714 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- CHANPATIA District- West Champaran

ADITYA TIWARI Son of Jagdish Tiwari Resident of Village-Gidha, P.S.-
Chanpatiya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-11-2019 Heard the learned counsel for the petitioner

and the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Chanpatiya P.S. Case No. 128
of 2019 dated 18.04.2019 instituted for the offences
under Sections 420 and 379 of the Indian Penal Code.

A peculiar case has been lodged by the
informant who has alleged that he accompanied the
petitioner to a fair (Mela) where he wanted to park his
motorcycle in the motorcycle stand. However, on the
insistence of the petitioner and his associates who had
assured him that the motorcycle would not be stolen, the



motorcycle was parked near the road side. The motorcycle, on return of the informant from the fair was not found. The petitioner and his associates are said to have sent off the informant, telling him that he will not get his motorcycle. On this, the informant suspected the hands of the petitioner in stealing his motorcycle.

The learned counsel for the petitioner submits that merely because the petitioner and his associates had assured the informant that his motorcycle would not be stolen if he parked the same on the road, the petitioner could not have been made accused in this case. Learned counsel for the petitioner submits that it is quite fortuitous that the motorcycle was stolen. However, since the petitioner is known to the informant and had accompanied him to the fair, there is no reason for the petitioner to be suspected of stealing the motorcycle.

The petitioner has clean antecedents.

For the aforestated facts, he is directed to be



released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 128 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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