

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79616 of 2018

Arising Out of PS. Case No.-223 Year-2018 Thana- PHULWARIYA District- Gopalganj

Amlesh Dixit @ Amalesh Dixit S/o Ram Dhayan Dixit @ Ramdhan Dixit
R/vill-Chamari Patti, P.S-Fulwaria, Distt.-Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Opposite Party/s : Smt. Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Fulwaria P.S. Case No. 223
of 2018 registered under Section 414/34 of the Indian Penal
Code.

The petitioner along with one co-accused Rajan Dixit is
said to have been apprehended with the stolen motorcycle and
on their disclosure six stolen bicycles were recovered from the
'Bathan' of co-accused Rajan Dixit.

It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. The petitioner
has committed no offence. He has no concern with the aforesaid
occurrence. He has been falsely implicated in this case by the



police at the instance of his enemies. As a matter of fact, he was proceeding on the motorcycle of Rajan Dixit in the night taking lift from him without knowing it to be stolen one and on the way police apprehended the petitioner. No incriminating article has been recovered on the disclosure of the petitioner and more so no article has been seized from the conscious physical possession of the petitioner rather from the 'Bathan' of the Rajan Dixit. No confessional statement of the petitioner has been recorded in the case diary. The petitioner has been languishing in custody since 06.10.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Gopalganj in connection with Fulwaria P.S. Case N.223 of 2018.

(Prakash Chandra Jaiswal, J)

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