

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57740 of 2019

Arising Out of PS. Case No.-316 Year-2019 Thana- KISHANGANJ District- Kishanganj

HARI NANDAN SAH, aged about 28 years, Male, Son of Ram Krishan Sah,
Resident of Village - Maldwar, P.S.- Palasi, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Prawesh Kumar, Advocate.
For the Opposite Party : Mr.Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 379 and 411 of the IPC.

The prosecution story, in brief, is on 02.07.2019 at
about 1.00 P.M., the informant's Motorcycle bearing
Registration No. BR-37E-6655 has been stolen near D.M.
Office. During search, the informant went towards Rampur and
he saw that a boy was coming from Rampur on a Motorcycle
speedily. On chase, he caught hold the person and identified his
said stolen Motorcycle. On query, the thief disclosed his name
as Harinandan Sah (petitioner).

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since



03.07.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The stolen Motorcycle is alleged to have been recovered. The petitioner had knowledge that the Motorcycle in question is a stolen property. He 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 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 Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No. 316 of 2019.

(Sudhir Singh, J)

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