

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61984 of 2019

Arising Out of PS. Case No.-243 Year-2019 Thana- RAXAUL District- East Champaran

1. KAMLESH PRASAD, Son of Pannalal Prasad Residence of Village- Pankaj Chowk, Koiriya Toal (Tola), Ward No.-25, P.S.- Raxaul, District- East Champaran.
2. Shivam Kumar Son of Kamlesh Prasad Residence of Village- Pankaj Chowk, Koiriya Toal (Tola), Ward No.-25, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Adv.
Ms. Priyanka Kumari, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners, being the father and son, are languishing in custody since 09.07.2019 in a case registered for the offence punishable under Sections 413 and 414 of the Indian Penal Code.

The prosecution case got initiated on the basis of



written report of Md. Masroor Alam, A.S.I, Raxaul Police Station submitted before the Station House Officer, Raxaul Police Station is to the effect that a secret information was received on 07.07.2019 that a stolen motorcycle has been kept in the house of petitioner no.1, Kamlesh Prasad. Consequently, a raid was laid and from the house of petitioner no.1 dismantled motorcycle's parts were recovered.

It is submitted by learned counsel for the petitioners that in fact no case has been registered under the provisions for commission of theft and only on the basis of suspicion, the petitioners have been roped in the present case. Moreover, the investigation has already been concluded. It is further submitted that petitioner no.1 is not having any criminal antecedent, but petitioner no.2 is accused in two other cases, wherein he has been granted bail. A statement to that effect has been made in paragraph no.3 of the petition.

Learned APP for the State submits that the petitioners are named in the FIR.

Considering the nature of recovery and the investigation already being concluded, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned SDJM, Raxaul at Motihari in
connection with Raxaul P.S. Case No. 243 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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