

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66540 of 2019

Arising Out of PS. Case No.-547 Year-2018 Thana- SHERGHATI District- Gaya

NITISH KUMAR Son of Suresh Paswan Resident of Village - Pachratan,
P.S.- Sherghati (Dobhi), Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sherghati (Dobhi) P.S. Case No.547 of 2018 registered
under Sections 379 and 411/34 of the Indian Penal Code.

The accusation is that the informant went to irrigate
his field after parking his new motorcycle at Pachratan Turning
but when the informant returned from his field, he did not find
his motorcycle and despite hectic search, his motorcycle could
not be traced out. On the next day, when the informant along
with his friends proceeded to attend the call of nature, then saw
two motorcycles coming towards Pachratan Turning. When the
motorcycles reached near the canal, then the motorcycle of back



side appeared to the informant as of his own stolen motorcycle, which was being driven by Vidyanand and another motorcycle was being driven by Golu Paswan on which the petitioner was sitting. Thereafter, while they were chased but all fled away after sitting on one motorcycle, leaving the motorcycle of the informant.

Learned counsel for the petitioner submits that the petitioner and the informant are co-villagers and the petitioner has falsely been implicated in this case. Moreover, if the prosecution case is assumed to be true, then also, the petitioner was sitting on another motorcycle, which was being driven by Golu Paswan, and the motorcycle of the informant was being driven by Vidyanand. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghati (Gaya), Gaya, in connection with Sherghati (Dobhi) P.S. Case No.547 of 2018, subject to the



conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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