

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62597 of 2019

Arising Out of PS. Case No.-487 Year-2019 Thana- SAHARSA District- Saharsa

SUBHAM KUMAR, Son of Late Madan Bhagat, Resident of Village - Naya Bazar, Saharsa, Roy Tola, Ward No. 2, P.S.- Saharsa Sadar, District- Saharsa
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 30.05.2019 in a case registered for the offences punishable under Sections 413 and 414 of the Indian Penal Code.

Prosecution case is that one Prince Kumar was caught with a stolen motorcycle and on the basis of his disclosure, from the possession of the petitioner, an Alto car without registration number was recovered.

It is submitted by learned counsel for the petitioner that since the said recovery has been made from the joint house of the petitioner, hence, it cannot be treated from the conscious physical possession of the petitioner. Moreover, a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent and



investigation has already been concluded.

Learned APP for the State submits that the stolen Alto car has been recovered from the possession of the petitioner.

Considering the fact that investigation has already been concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saharsa, in connection with Saharsa Sadar P.S. Case No. 487 of 2019.

(Dinesh Kumar Singh, J)

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