

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63937 of 2019

Arising Out of PS. Case No.-291 Year-2019 Thana- KISHANGANJ District- Kishanganj

Md. Rehan @ Rahan @ Rohan Son of Md. Gaffar @ Md. Gafur Resident of
Village- Ruhia, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case initially registered under Sections 279, 337, 338 & 379 of the Indian Penal Code and later on Section 411 of the Indian Penal Code was also added.

The prosecution case, in short, is that in course of visiting with his wife on a motorcycle, the informant was dashed and sustained injury. Thereafter, he went to hospital for his treatment and when he came next day at the place of occurrence, his motorcycle was found missing.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 01-07-2019. Charge sheet has



already been submitted. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused. The petitioner had no knowledge that the motorcycle in question is a stolen property. The petitioner 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 not named in the Complaint Case/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 learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 291 of 2019.

(Sudhir Singh, J)

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