

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75346 of 2019

Arising Out of PS. Case No.-406 Year-2019 Thana- BAHADURPUR District- Darbhanga

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MANOJ KUMAR PANDIT @ MANOJ KUMAR, S/o Late Lalo Pandit R/o
village- Suri Kharsar, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad

For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Bahadurpur P.S. Case No. 406 of 2019, disclosing the offences
under Sections 414/34 of the Indian Penal Code.

While riding a Motorcycle, the petitioner was
intercepted by the Police and since he could not produce any
document in support of the said vehicle, he has been made
accused.

Learned counsel for the petitioner has referred to the
statement made in paragraph-8 of the application. He submits
that petitioner is a Motorcycle Mechanic and in that capacity,
the Motorcycle was there in his possession. He further submits



that in any event, in the absence of any allegation of constitution of an offence punishable under Section 379 of the Indian Penal Code, no offence punishable under Section 414 of the Indian Penal Code can be said to be made out.

I find some force in submission so advanced on behalf of the petitioner.

Considering the above, this application is allowed. 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 Sub Divisional Judicial Magistrate, Darbhanga**, in connection with **Bahadurpur P.S. Case No. 406 of 2019**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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