

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10964 of 2020

Arising Out of PS. Case No.-543 Year-2019 Thana- BIHTA District- Patna

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TINKU KUMAR Son of Lalan Rai Resident of Village- Amnabad, P.S.-
Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-03-2020 Heard both sides.

The petitioner seeks bail in Bihta P.S. case No. 543/2019
registered under Section 414, 34 of the Indian Penal Code.

The police on secret information raided the house of
Mukesh Kumar and recovered stolen SIM of Airtel being No.
9060982702. Mukesh Kumar disclosed that he purchased SIM
from Anis Kumar. On such, raid was conducted in the house of
Anis Kumar. Anis Kumar disclosed that his friends Chhotu
Paswan and Dipak Kumar used to commit theft of motor cycle
within the area of Bihta P.S and one stolen motor cycle was kept
in the house of Bhim Rai and one scooty was kept in the house
of Tinku Kumar, the petitioner. On such, raid was conducted and
one motor cycle was recovered from the house of the petitioner.

The learned counsel for the petitioner submits that
petitioner surrendered in the court on 09.12.2019 and since then



he is in custody. Other accused persons, namely, Mukesh Kumar, Chhotu Paswan, Bhim Rai and Anis Kumar have already been granted bail by different benches of this court. It is further submitted that recovery was made in absence of the petitioner. Seizure list does not bear the signature of any family member of the petitioner and this fact itself creates doubt about the recovery of motor cycle from the house of the petitioner

Taking into consideration the facts that one motor cycle is said to have been recovered from the house of the petitioner but all other accused persons from whose possession also different stolen articles were recovered have already been granted bail, the petitioner, above named is directed to 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 learned Additional Chief Judicial Magistrate I, Danapur, Patna in connection with Bihta P.S. case No. 543/2019.

(Prabhat Kumar Jha, J)

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