

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15231 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- KUDHNI District- Muzaffarpur

MANTOSH KUMAR SAHNI Son of Upendra Sahni Resident of Village-
Chakoriya, P.S.- Kurahni Turki, O.P., Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-09-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Kudhni P.S. case No. 83/2019 registered under Section 413, 414/34 of the IPC.

The police intercepted a motor cycle on which three persons were riding. Dipu Kumar, who was driving the motor cycle, was apprehended and he disclosed the names of his associates as Mantosh Kumar Sahni, the petitioner, and Ravi Kumar, who managed to flee away. Dipu Kumar disclosed that the motor cycle is stolen one.

The learned counsel for the petitioner submits that petitioner was one of the pillion riders and he has no knowledge



that Dipu Kumar was driving the stolen motor cycle. There is nothing on record to show that petitioner is involved in theft of motor cycle. Dipu Kumar is the best person to say that from where he got the motor cycle.

Taking into consideration the fact that Dipu Kumar was driving the motor cycle and petitioner was only pillion rider and he managed to flee away but there is no allegation that motor cycle belongs to the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order 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 learned Additional Chief Judicial Magistrate-III, West Muzaffarpur in connection with Kudhni P.S. case No. 83/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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