

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16063 of 2020

Arising Out of PS. Case No.-693 Year-2019 Thana- BANKA District- Banka

GANESH KISKU S/o Meja Kisku R/o village- Jharna, P.S.- Amarpur,
District- Banka.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate.
For the State : Mr. Ram Bachan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 07-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Banka
P.S. Case No.693 of 2019 registered under Sections 379/411 of
the Indian Penal Code.

The accusation is that on 07.09.2019, the informant
Ritesh Kumar along with his villager Chandan Tanti, boarding
on the motorcycle bearing Registration No.JH-15L-1170, had
gone to Banka. After parking the motorcycle, in front of
District Bar Association Building, Banka, they went to the Civil
Courts Premises, Banka, for some works and when they
returned from there, after short interval, the informant did not
find his motorcycle there. Thereafter, the informant and his



villager Chandan Tanti tried to search the motorcycle in the court premises but no trace of it was found and, thereafter, both returned to the house. After few days, on 25.09.2019, the informant along with his brothers Nilesh Das and Mahavir Das had gone to Samukhiya market and, in course of marketing and moving there, the informant saw his motorcycle there on which two persons were sitting. Thereafter, the informant went there and caught the handle of the motorcycle and his brothers caught hold the person, who was driving the motorcycle. The person, who was sitting on the rear seat of the motorcycle, fled away. The caught hold persons disclosed his name as Ganesh Kisku (petitioner) and he also disclosed the name of the person, who succeeded to flee away as Nitesh Kumar Tudu. On query, the caught hold person, namely, Ganesh Kisku (petitioner) disclosed that he had purchased the said motorcycle from one Amit Das.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner had purchased the motorcycle, as detailed in the F.I.R., from one Amit Das on payment of consideration amount and the petitioner was not aware that the same is stolen motorcycle. Further submission is that the petitioner has no criminal antecedent and is in custody since 26.09.2019. Moreover, on investigation, the police has



already submitted the charge-sheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No.693 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

