

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26984 of 2020**

Arising Out of PS. Case No.-182 Year-2020 Thana- MAHUA District- Vaishali

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CHHOTU KUMAR S/O Harvansh Ray Resident of VILLage - Mahua Singh  
Ray, P.S.- Mahua, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Sinha  
For the Opposite Party/s : Mr. Abhay Kumar Rai

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
ORAL ORDER

2    19-10-2020                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner, who is in custody since  
  
12.09.2019 seeks bail in connection with Mahua P.S. Case  
  
No. 182 of 2020 dated 03.04.2020 instituted for offence  
  
under Section 394 of the Indian Penal Code.

It has been alleged in the First Information Report  
  
that the informant was waylaid by three miscreants and  
  
his motorcycle and personal belongings were snatched.  
  
The informant identified one of the miscreants as Gosai  
  
Mali, who was taking the name of another person as



Fannu, who actually fled away with the motorcycle.

It has been submitted on behalf of the petitioner that two persons have been named in the First Information Report and one other person has been named accused as an unknown person.

The petitioner appears to have been arrested in this case only on the suspicion and the confessional statement of co-accused Rahul Kumar, who had been arrested and he had disclosed that had purchased the looted motorcycle from one Vikash Kumar and Jasvir Singh and, thereafter, had sold the same to the petitioner/ Chhotu Kumar.

The petitioner is the third hand purchaser of the motorcycle. The petitioner had no idea that the motorcycle in question was a stolen property.

The petitioner is in custody since 24.04.2020 and is a person of clean antecedent.

Regard being had to the afore-stated facts, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 182 of 2020.

**(Ashutosh Kumar, J)**

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