

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29835 of 2020

Arising Out of PS. Case No.-164 Year-2020 Thana- SUGAULI District- East Champaran

SHIVAKANT KUMAR, Male, aged about 23 years, Son of Late Vijay Rai @ Bijali Ray, Resident of Village - Kauwahan, Police station - Sugauli, District - East Champaran at Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Sanjana, Advocate.

For the Opposite Party : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 414, 467 and 468/34 of the I.P.C.



The prosecution story, in brief, is that on 14.03.2020 at about 23.15 hours, the informant and other police personnels searched the house of the petitioner and recovered one stolen Motorcycle from his house.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 16.03.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. One stolen Motorcycle is said to have been recovered from joint house of the petitioner. The petitioner had no knowledge that the Motorcycle in question is a stolen property. He has been made accused in the present case due to mistake of fact. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to 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 the learned Chief Judicial Magistrate, East Champaran at Motihari, in



connection with Sugauli P.S. Case No. 164 of 2020.

(Sudhir Singh, J)

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