

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30965 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- PAHARPUR District- East Champaran

SHIVLOK KUMAR Son of Harendra Prasad Resident of Village- Inarwabhar
Pakariya, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Ms. Indu Kumari Shrivstava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Paharpur Police Station Case No. 23 of 2021, registered for the
offences punishable under Sections 411/413/414 of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the police, on the basis of secret information that the
petitioner had parked one stolen motorcycle in front of his shop
of stone chips and sand, proceeded towards the place of
occurrence and recovered one motorcycle parked in front of the
shop of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he is the owner of



the shop situated in the market. The motorcycle, in question, was parked by somebody else in front of the said shop of the petitioner without his knowledge. The petitioner has falsely been implicated in this case on the basis of the allegation that the petitioner failed to produce the papers of the said motorcycle. He further submits that the motorcycle, in question, was not recovered from the conscious possession of the petitioner and the same was found parked in an open market place. He next submits that the petitioner is in custody since 28.01.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, he is the owner of the shop in front of which the motorcycle, in question, was found parked, charge sheet has already been submitted and the petitioner is in custody since 28.01.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Shivlok Kumar, be released on bail



on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 11th Additional Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Paharpur Police Station Case No. 23 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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