

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34747 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- SARAI District- Vaishali

CHANDAN KUMAR, Male, age about 19 years, Son of Radhey Rai @
Radhe Ray, Resident of Village-Kiratpur, P.S.- Bhagwanpur, District-
Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate.

For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

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 414/34 of the I.P.C.

The prosecution story, in brief, is that on 23.07.2020
at about 10.00 A.M. while checking the vehicles with police
team at Suraj Chauk, he saw three persons were coming on a
Apache Bike from Hajipur side. The informant gave signal to
stop then they started fleeing. The informant with police team
started chasing them upon which at some distance they left bike



and started fleeing but police team overpowered one of them. The apprehended person disclosed his name as Chandan Kumar (petitioner) and further disclosed names of runaway co-accused as Kundan Kumar and Sunny Kumar. On demand petitioner could not show any paper of Apache Bike No. BR-06U-4475. On technical verification, the informant found chassis and Engine Number of said bike did not tally with said registration number of bike due to which the informant seized the said bike under the witness of two Home Guard of police team and lodged the case for keeping stolen bike against all three accused persons.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 23.07.2020. 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. The petitioner had no knowledge that the Motorcycle in question is stolen property. 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 aforesaid 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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-16, in connection with Sarai P.S. Case No. 168/2020.

(Sudhir Singh, J)

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