

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35758 of 2020

Arising Out of PS. Case No.-241 Year-2020 Thana- KORHA District- Katihar

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RUPESH KUMAR son of Upendra Prasad Singh Resident of Village-
Bishahariya (Nishariya), P.S. Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah, Adv.

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-01-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Korha P.S. Case No. 241 of 2020, registered for the offence punishable under Sections 413 and 414 of the Indian Penal Code.

The allegation is regarding recovery of stolen motorcycle from the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 25.05.2020. It is submitted that though in paragraph no. 3 of the petition, it has been stated that the



petitioner is an accused in two other cases, but the fact is that it has wrongly been mentioned that the petitioner is an accused in Korha P.S. Case No. 239 of 2020 and as far as the other case i.e. K.Nagar P.S. Case No. 137 of 2017 is concerned, the petitioner has already been enlarged on bail. The learned counsel for the petitioner has further submitted that the petitioner has been falsely roped in the present case and he is engaged in running a medical shop.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 241 of 2020.

(Mohit Kumar Shah, J)

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