

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34783 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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Naresh Rai, aged about 30 years, Gender-Male, S/o Deep Narayan Ray, R/o
Village- Godhiya, P.S.- Lakhaura, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dhurendra Kumar, Advocate.
For the Opposite Party : Mr. Rajendra Prasad Nat, A.P.P.

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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 457 and 380 of the I.P.C.

The prosecution story, in brief, is that on 19.03.2020
at about 11.00 P.M., the *Apache Motorcycle* of the informant
bearing Registration No. BR-05-Z-3707 was stolen away by
some unknown thieves, which was parked in his *Garage*.

It has been submitted by learned counsel for the
petitioner that the petitioner is in custody since 21.05.2020. 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 is not named in the F.I.R. His name has come in the present case in course of investigation merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Stolen Motorcycle is said to have been recovered from the house of Radhey Shayam Yadav.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not 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 S.D.J.M., Sikarahana at Dhaka, East Champaran at Motihari, in connection with Kundwa Chainpur P.S. Case No 53 of 2020.

(Sudhir Singh, J)

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