

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12744 of 2022

Arising Out of PS. Case No.-273 Year-2021 Thana- GANGABRIDGE District- Vaishali

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Randhir Kumar S/o Shri Bindehswar Rai R/o Village - Saifpur, P.S. - Ganga
Bridge, District- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ganga
Bridge P.S. Case No. 273 of 2021 registered for the offence
under Sections 379 and 411 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 10.12.2021.

The allegation against the petitioner is to have in
possession of stolen motorcycle, where petitioner was found as
pillion rider.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was the pillion rider of the stolen motorcycle and only for this reason, petitioner has been falsely implicated in this case. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was aware about the fact that the motorcycle was stolen. It is submitted that main co-accused, namely, Ranjan Kumar, has already been granted bail by the Trial Court itself. It is pointed out that petitioner is involved in one more criminal case, in which he is on bail. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that petitioner was the pillion rider of the stolen motorcycle.

In view of the facts and circumstances, as mentioned above, as stolen motorcycle is not recovered from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ganga Bridge P.S. Case No. 273 of 2021 on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties
of the like amount each to the satisfaction of learned Chief
Judicial Magistrate, Vaishali at Hajipur/concerned Court, subject
to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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