

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23501 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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RAKESH KUMAR Son of Wakil Pandit, Resident of Village - Daroga Tola,
P.S.- Banjariya, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
East Champaran, Motihari Town P.S. Case No. 128 of 2022
lodged under Sections 414/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that there
were two persons made accused in the present case. Allegation
to keep mobile without paper was made in the F.I.R. but nothing
was recovered from the possession of the present petitioner.

Learned counsel for the petitioner further submits that
no recovery from the conscious possession of the petitioner is

clear from the F.I.R. as well as the seizure list. He further submits that petitioner is in custody sine 21.02.2022, charge sheet has already been filed in this case and he has clean antecedent. He also submits that the case is Magistrate triable.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Town P.S. Case No. 128 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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