

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24835 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- GOH District- Aurangabad

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Satish Kumar S/o Awdhesh Bind R/o village- Rajapur, P.S.- Goh, District-
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 15-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Goh P.S. Case No. 37 of 2022 registered for the alleged offences under Sections 414/32 and 120(B) of the Indian Penal Code.

As per prosecution case, police received secret information about the petitioner keeping a stolen motorcycle at his house and using it for supplying illicit liquor. A raid was conducted and the petitioner was apprehended with the stolen motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR, it is clear that the seized motorcycle



belongs to one Pappu Kumar who has given the said motorcycle to the petitioner for using the same. The petitioner has been made accused in this case merely on suspicion and he has not been found to be misusing the motorcycle. The petitioner was not arrested while riding the motorcycle rather he was arrested from his house and nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 07.02.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and is accused in a case under Excise Act.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Goh P.S. Case No. 37 of 2022 , subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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