

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35858 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- BHAIKAVSHTHAN District-
Madhubani

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RAHUL CHOUDHARY @ RAHUL KUMAR @ RAHUL KUMAR
CHOUDHARY Son of Kapil Chaudhary Resident of Village-Om Nagar, Ward
No.-8, P.S.-Town Araria, District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate
Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard learned counsel for the parties through video
conferencing.

Petitioner seeks regular bail in connection with
Bhairav Asthan P.S. Case No. 136 of 2020 , GR Case No. 1656
of 2020 registered for the offence under Section 379 of the
I.P.C.

As per the First Information Report the motorcycle of
the informant bearing Registration No. BR07M-6035 was stolen
from his house and Police recovered the said motorcycle from a
Pucca road in Om Nagar Ward No.8.

Learned counsel for the petitioner submits that the
stolen motorcycle has not been recovered from the possession of
the petitioner however, one motorcycle has been recovered
from the house of the petitioner which would be evident from
the seizure list which is not stolen motorcycle and to the
knowledge of the petitioner no F.I.R. has been lodged for the



theft of the motorcycle which has allegedly been recovered from the house of the petitioner. Learned counsel next submits that petitioner is in custody since 20/09/2020, having no criminal antecedent and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 20/09/2020, charge sheet has already been submitted and the stolen motorcycle has not been recovered from his house, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur or successor court in connection with Bhairav Asthan P.S. Case No. 136 of 2020 , GR Case No. 1656 of 2020.

(Anil Kumar Sinha, J)

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