

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29020 of 2022**

Arising Out of PS. Case No.-35 Year-2022 Thana- AMNAUR District- Saran

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Jitendra Mahto Son Of Harihar Mahto R/O- Vill- Saidpur, P.S.-PARSA, Dist.-  
Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                   |
|----------------------------|---|-----------------------------------|
| For the Petitioner/s       | : | Mr.Rakesh Kumar, Advocate         |
|                            |   | Mr. Pravashankar Mishra, Advocate |
| For the Opposite Party/s : |   | Mr.Ashok Kumar Singh, APP         |

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      30-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Amnaur P.S. Case No. 35 of 2022 registered for the alleged offences under Sections 414, 420, 467, 468, 120(B) and 34 of the Indian Penal Code.

As per prosecution case, the petitioner was apprehended with a stolen motorcycle and a forged number plate during checking of vehicles. The co-accused Bittu Kumar fled away from the spot on seeing the police.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. The petitioner has no knowledge about motorcycle being stolen and the said motorcycle belongs to co-accused Bittu Kumar. If the petitioner had any knowledge about motorcycle being stolen, he would not have used the same. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner or from his house. Even if the said motorcycle was stolen, then some case must have been lodged for its theft but nothing was found by the police during course of investigation. Charge sheet has been submitted in this case and the petitioner is in custody since 12.02.2022. The petitioner has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner was arrested with the stolen motorcycle and a forged number plate.

Having regard to the submission made on behalf of the parties and considering the period of custody of the petitioner along with his clean antecedent and 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 Additional Chief Judicial Magistrate IXth, Saran at Chapra in connection with Amnaur P.S. Case No. 35 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also 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)**

Gautam/-

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