

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.29285 of 2022**

Arising Out of PS. Case No.-5 Year-2022 Thana- AURANGABAD TOWN District-  
Aurangabad

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Mukesh Kumar Singh @ Buletan @ Bhuletan Son of Lalan Singh Resident of  
Village- Maluk Bigha , P.S- Rafiganj , Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr. A.G

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

2      14-09-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel 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  
  
Aurangabad Town P.S. Case No. 05 of 2022 registered for the  
offence under Section 379 of the I.P.C., later on Sections 411  
and 34 of the I.P.C. was added.

The accused/petitioner is not named in the F.I.R. and  
  
is in custody since 08.01.2022.

The allegation against the petitioner is to habitual  
  
dealing in stolen motorcycles and also involving in concealment  
of stolen property.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of confessional statement of co-accused persons, in furtherance thereof, nothing surfaced/recovered which may connect the petitioner, *prima facie*, with present set of occurrence/recovery. Admittedly, recovery of stolen motorcycle is from co-accused persons, where maximum allegation against this petitioner is to showing his inclination to purchase stolen motorcycle. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating recovered from physical possession of this petitioner to connect with present occurrence/recovery of stolen motorcycle, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Aurangabad Town P.S. Case No. 05 of 2022 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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