

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39562 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- PALASI District- Araria

ANMOL KUMAR SAH Son of Arun Sah @ Arun Kumar Sah Resident of
Village and P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 28-01-2022 Heard the learned counsel appearing for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Palasi
P.S. Case No. 03 of 2021 for the offence punishable under Sections
413, 414/34 of the Indian Penal Code.

The case of the prosecution, in brief, is that the informant
along with other police personnel were engaged in day to day
patrolling duty and when they had reached near Kankhudia Chowk
on the alleged date and time of occurrence, the informant received
secret information that some miscreants had arrived at the tea shop
of one Jahoor to dispose off a stolen bike, whereafter the informant
along with his police team had reached at the said tea shop and had
apprehended two miscreants as also had recovered the stolen
motorcycle, however, the said miscreants, one of them being the
petitioner herein, could not produce the registration documents of the
said motorcycle.

The learned counsel for the petitioner has submitted that the
petitioner is innocent, has been falsely implicated in the present case
and he is languishing in custody since 04.01.2021. It is further
submitted that the petitioner was merely standing at the tea shop in



question, however, he has got nothing to do with the said stolen motorcycle in question and has been implicated falsely merely on suspicion.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account materials available on record as also considering the period of incarceration of the petitioner and the fact that the seizure list shows recovery of the said motorcycle from near a tea shop belonging to one Jahoor, situated at Palasi Chowk and not from the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Araria in connection with Palasi P.S. Case No. 03 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

