

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44820 of 2021

Arising Out of PS. Case No.-156 Year-2016 Thana- MADHUBAN District- East Champaran

UPENDRA SINGH SON OF RAMCHANDRA SINGH Resident of Village -
Deolho , P.S.- Madhuban, Distt.- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2022 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner seeks bail in connection with Madhuban P.S. Case no. 156 of 2016 registered for the offence punishable under sections 414 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is in custody since 22.3.2021, is person with clean antecedent and charge sheet has been submitted. Learned counsel for the petitioner further submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that motorcycle as described in the FIR was recovered from the door of the petitioner



and it is further alleged that the motorcycle belongs to the deceased of Patahi P.S. Case no. 195/2015 namely, Raj Kishore Raut which was looted by the miscreant after murdering. It is next alleged that the petitioner was using the motorcycle by changing its number plate. Learned counsel submits that from perusal of the FIR, it would manifest that seizure list is appended, seizure list is dated 30.12.2015 whereas FIR has been instituted on 10.6.2016. Learned counsel submits that seizure list was made prior to the institution of the FIR that itself demonstrates that the police with ulterior motive is trying to implicate the petitioner.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody, is person with clean antecedent and charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate IV, East Champaran at Motihari in Madhuban P.S. Case no. 156 of 2016 subject to condition that one of the bailers shall be father of the petitioner.

(Satyavrat Verma, J)

s.hassan/-

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