

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43431 of 2021

Arising Out of PS. Case No.-182 Year-2021 Thana- TURKAULIYA District- East
Champaran

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PAPPU KUMAR S/O LATE RAJNANDAN SAHANI R/O VILLAGE-
DUMARIYA, P.S-MOHAMMADPUR (MUHAMMADPUR), DISTRICT-
GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Turkaulia P.S. Case No. 182 of 2021 for the offence registered
under Sections 414 and 420 of the Indian Penal Code.

The case of the prosecution, in brief, is that the
informant and other police personnel, while they were on
evening patrolling duty, had started conducting checking of
vehicles and during the course thereof, the petitioner was
apprehended while he was trying to flee away upon leaving his
motorcycle. It is further alleged that upon search of the person
of the petitioner, 21 A.T.M. cards of different banks and one
motorcycle was recovered.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 04.03.2020. The learned counsel for the petitioner has further referred to paragraph nos. 12 and 13 of the present petition to submit that the motorcycle in question is not a stolen motorcycle and in fact the same belongs to the brother-in-law of the petitioner. It is next submitted that the actual fact is that A.T.M. cards have not been actually recovered from the possession of the petitioner and as far as the seizure list is concerned, the same has been prepared in violation of Section 100 of the Code of Criminal Procedure.

Per contra, the learned counsel 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 and taking into account the materials available on record as also considering the fact that the petitioner has categorically stated in the petition that the motorcycle in question belongs to the brother-in-law of the petitioner apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since about one year, I deem it fit and



proper to direct for release of the petitioner herein 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 Judicial Magistrate-1st Class, East Champaran (Motihari) in connection with Turkauliya P.S. Case No. 182 of 2021, G.R. Case No. 1466 of 2021, Trial No. 1376 of 2021.

(Mohit Kumar Shah, J)

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