

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35510 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- SURSAND District- Sitamarhi

CHHOTU KUMAR Son of Sukeshwar Mandal, Resident of village-
Bathnaha Ward No.- 11, P.S.- Bathnaha, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Mishra, Advocate Mr. Shailesh Kumar, Advocate
For the Opposite Party/s	:	Ms.Sharda Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Sursand P.S. Case No. 125 of 2022, lodged under Sections 413
and 414 of the Indian Penal Code.

As per the prosecution, the petitioner has been
apprehended by the police when he was trying to flee. The
petitioner was caught with one *Splendor* motorcycle of which he
has not any paper.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further

submits that the motorcycle is subject to theft has been considered by the police only by virtue of the confessional statement of the petitioner. Learned counsel for the petitioner further submits that petitioner is in custody since 14.03.2022 having clean antecedent and charge sheet has already been filed in this case. He further submits that during investigation, police has found that the alleged recovered motorcycle is subject to a case Muzaffarpur (Town) P.S. Case No. 131 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but the Trial Court is directed to release the petitioner on bail after framing of charge on its own conditions, so that he shall not evade his appearance during the trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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