

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39851 of 2022

Arising Out of PS. Case No.-75 Year-2021 Thana- JADOPUR District- Gopalganj

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RAKESH SAH S/O RAM SAGAR SAH Resident of Village- Ekderva, P.S.-
Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Binod Kumar No. 3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 18-10-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Jadopur P.S. Case No.75 of
2021 registered for the offence punishable under section 379 of
the Indian Penal Code.

As per the allegation the informant's Motorcycle
was stolen away by some unknown persons from the outside of
the house of one, namely, Suresh Thakur where the informant
went to attend the marriage ceremony.

The main submissions advanced by learned
counsel Shri Arvind Kumar Pradhan appearing for the petitioner
are that the FIR has been registered against unknown person and

at the time of recovery of the alleged stolen motorcycle the petitioner was accompanied with one namely, Mukesh Kumar and at that time they were intercepted by the police, the said Mukesh Kumar managed to escape but the petitioner was apprehended and the said Mukesh Kumar has been granted bail in connection with Nautan (Jagdishpur) P.S. Case No. 233 of 2021 which was lodged in respect of the recovery of the stolen motorcycle of the present case as well as recovery of firearm and the petitioner has also got bail in the said case. Further submission is that the petitioner has been languishing in jail since 13.01.2022.

Shri Binod Kumar No. 3, learned APP appearing for the State has opposed the prayer for bail.

Heard both the sides, perused the FIR. The FIR has been registered under section 379 of the Indian Penal Code and the petitioner has been languishing in judicial custody for the last about nine months and as per the above submissions in respect of the recovery of the stolen motorcycle of the instant matter Nautan (Jagdishpur) P.S. Case No. 233 of 2021 was lodged against the petitioner and co-accused Mukesh Kumar in which the petitioner and the said co-accused have been granted bail, against the petitioner investigation has been completed.

Considering all these facts, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Let the petitioner 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 the C.J.M, Gopalganj, in Jadoour P.S. Case No. 75 of 2021.

(Shailendra Singh, J)

Hassan/maynaz/-

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