

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43145 of 2022

Arising Out of PS. Case No.-221 Year-2021 Thana- KALYANPUR District- East Champaran

Rampravesh Mahato @ Ram Pravesh Kumar Mahto Son of Shivalochan
Mahto Resident of village - Kalyanpur Tola Tulsipath, P.S.- Kalyanpur,
District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-11-2022 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
learned APP for the State.

Petitioner seeks regular bail in connection with
Kalyanpur P.S. Case No. 221 of 2021 registered for the offences
punishable under Sections 341, 323, 506, 379, 411, 34 of the
Indian Penal Code .

As per the prosecution, the informant's motorcycle
was stolen by unknown persons in the night. During the course
of search, the informant found some persons, named in the FIR,
involved in stealing his motorcycle based on some information



received and finding some of them to be in suspicious condition, two of them were apprehended by co-villagers of the informant.

The main submissions advanced by learned counsel Mr. Abhishek Kumar for the petitioner are that the petitioner is not named in the FIR, his name surfaced in the statement of a co-accused person Rakesh Kumar Mahto who has been granted bail by the Court below itself and there is a criminal antecedent of one case against the petitioner which was lodged under Excise Act and he is on bail.

Learned APP Mr. Umesh Lal Verma appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. In view of the above submissions and mainly considering the facts that the petitioner is not named in the FIR and prosecution has not taken the plea that stolen motorcycle or any other incriminating material was recovered from the possession of this petitioner and as per the statement given in paragraph 8 of the petition, the petitioner's name surfaced in the statement of co-accused Rakesh Kumar Mahto who is on bail granted by the Court below, in the opinion of this Court a lenient approach can be taken in respect of petitioner's prayer, 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 concerned Court in Connection with Kalyanpur P.S. Case No. 221 of 2021.

(Shailendra Singh, J.)

Prashant/-

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