

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53795 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- MAINATAND District- West Champaran

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AVINASH KUMAR SON OF MEWALAL PATEL R/O VILLAGE AND
P.S.- MAINATAND, DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 379 of the Indian Penal Code.

As per the prosecution case, the motorcycle of the informant which was parked in the garage was found stolen.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. Referring to the order of the learned trial court rejecting the prayer for bail of the petitioner, it is submitted that the name of the petitioner transpired in course of investigation. The prosecution is mainly relying on the alleged confessional statement of the petitioner made before police to the effect that he had stolen the bike and



sold the same in Nepal. The allegations are absolutely false and incorrect and are not admissible. No incriminating article has been recovered from the petitioner's possession. He is in custody since 7.5.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material on record together with the petitioner having remained in custody for 10 months and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mainatand P.S. Case no.2 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bettiah, West Champaran.

(Partha Sarthy, J)

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