

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57498 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- MITHANPURA District- Muzaffarpur

GAUTAM SAH S/o Rajendra Sah Resident of Mohalla - Maharaji Pokhar
West Ghat, P.S. - Town (Nagar), Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Adv.

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-02-2022 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 he had parked outside his house was stolen by unknown accused persons.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the petitioner transpired in the confessional statement of a co-accused made before police. Referring to the order of the learned court below, it is submitted that the material being relied on against the petitioner is the confessional statement of a co-



accused made before police and the petitioner having criminal antecedents. No incriminating article has been recovered from the petitioner's possession who is in custody since 1.4.2021. Chargesheet has been submitted in the case.

It is further submitted by learned counsel for the petitioner that a supplementary affidavit has been filed stating therein that the father of the petitioner died on 10.2.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner having remained in custody for more than 10 months, the Court directs the petitioner to be enlarged on bail in connection with Mithanpura P.S. Case no.14 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 Additional Chief Judicial Magistrate 9th, (East) Muzaffarpur.

(Partha Sarthy, J)

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