

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59009 of 2021

Arising Out of PS. Case No.-235 Year-2021 Thana- BAGHA District- West Champaran

Bal Kuwar Chauhan @ Balkuaan Son of - Tufani Chauhan Resident of
Village- Rampur Jangal, P.S.- Hanumanganj, District- Kushinagar, State-
Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Bagaha PS case no. 235 of 2021 instituted for the offences
punishable under Sections 379, 413, 414/34 of Indian Penal Code.

The allegation is regarding the motorcycle of the
informant having been stolen by unknown miscreants and
subsequently, three miscreants including the petitioner herein were
found travelling on the same. The petitioner is stated to be a pillion
rider on the said motorcycle.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent and is
languishing in custody since 08.05.2021. The learned counsel for



the petitioner has further submitted that since the petitioner was not driving the motorcycle in question, he cannot be stated to be the person possessing the said motorcycle, hence he is not having any complicity in the matter.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since about 10 months apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M. 1st, Bagaha, West Champaran in connection with Bagaha PS case no. 235 of 2021.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

