

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63535 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- BIHARIGANJ District- Madhepura

PAPPU KUMAR Son of Sri Ramjee Yadav @ Ramjee Yadav R/o Village-
Shahpur, Tikker Tola, Ward No.04, P.S.- Gwalpara, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2022 Heard.

The petitioner seeks regular bail in connection with Bihariganj P.S. Case No. 32 of 2021, registered for the offence punishable under section 392 of the Indian Penal Code.

The allegation is regarding the informant having parked his motorcycle besides the road, whereafter he had gone to attend the call of nature, however, when he came back, he found that four miscreants were standing there, who had then snatched his motorcycle and fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, and is languishing in custody since 19.2.2021. The learned counsel for the petitioner has further submitted that



the name of the petitioner has transpired in the present case on the disclosure made by the co-accused person namely Vishal Kumar, who, on the fateful day, had parked his motorcycle in the premises of the petitioner and thereafter, the police had raided the house of the petitioner and the said stolen motorcycle was recovered from his house. The learned counsel for the petitioner has referred to paragraph No. 11 and 12 of the present petition to submit that the co-accused namely Vishal Kumar, is the main accused who had parked the motorcycle at the house of the petitioner and in fact, the petitioner is not having any knowledge about the said seized motorcycle.

Per contra, Shri Satyanand Shukla, the learned APP 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 parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, apart from the fact that the petitioner has stated in the present petition in Paragraph No. 11 thereof that the motorcycle in question was parked in his house by the



co-accused person namely Vishal Kumar, who is the main accused and the petitioner was not having any knowledge about the said motorcycle, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of J.M. 1st Class, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 32 of 2021.

(Mohit Kumar Shah, J)

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