

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54882 of 2022

Arising Out of PS. Case No.-145 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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Bittu Kumar Sahni S/O Arjun Sahni Resident Of Village- Baluahi, P.S.-
Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-12-2022 The matter is heard through video conferencing.

Heard Mr. Ranjeet Kumar Singh, learned counsel for
the petitioner and Mr. Uma Shankar Prasad Singh, learned A.P.P.
for the State.

The petitioner seeks regular bail in connection with
Sahebpur Kamal P.S. Case No. 145 of 2022, registered for the
offence punishable under Section 379 of the Indian Penal Code
pending in the Court of learned A.C.J.M.-IV, Begusarai.

The prosecution story, in brief, is that motorcycle
bearing Registration No. BR09U4032, Engine No. PFZRGG-
31939 and Chassis No. MD2A76AZ2GRG-57031 belonging to
the informant was found in the campus of the police station. The
other motorcycle on which the petitioner was intercepted was
also seized along with the said seizure list.



It is submitted on behalf of the petitioner that seizure list cannot be relied upon as the same contains motorcycle which was already parked in the campus of the police station whereas the one motorcycle on which the petitioner was intercepted allegedly in police checking. There are two seizures, while only one seizure list has been prepared, which falsify the actual seizure having being conducted. The motorcycles referred in the seizure list also does not belongs to the petitioner. The petitioner has clean antecedent and to that effect he has made a specific statement in Paragraph No. 3 of the bail application. The petitioner is in custody since 04.06.2022 and seeks to be released on bail.

Learned A.P.P. has vehemently opposed the prayer for grant of bail to the petitioner. He further submitted that it is not clear as to whether the motorcycle on which the petitioner was intercepted belongs to petitioner and it is also a stolen one. In absence of any specific pleading, the petitioner does not deserve to be released on bail.

Considering the facts and circumstances of the case and the allegation made in the F.I.R. that two motorcycles have been seized in the present case. The petitioner has not made any specific statement as to whether Hero Honda motorcycle which



was intercepted having Engine No. HAI0EAAHG38742 and Chassis No. MBLHA10EEAHG18894 is registered in the name of the petitioner or not? While the motorcycle belonging to the informant bearing Registration No. BR09U4032 and Engine No. PFZRGW31939. In such circumstances, petitioner has not made out a case to be released on bail. Accordingly, the present bail application is dismissed.

(Purnendu Singh, J)

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