

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67615 of 2021

Arising Out of PS. Case No.-693 Year-2019 Thana- BANKA District- Banka

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AMIT DAS Son of Mahendra Das Resident of Village - Gangapur Gadi, P.S.-
Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Ataur Rahman, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 379 and 411 of the Indian Penal Code.

As per prosecution case, the motor-cycle of the informant was stolen from where he had parked the same. A few days later, he saw the motor-cycle being driven by two accused persons. One of the accused was apprehended who disclosed his name as Ganesh Kishku and the name of the accused who had escaped as Nitesh Kumar Tudu. It is stated that Ganesh Kishku disclosed that he had purchased the motor-cycle from the petitioner.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any



incriminating article has been recovered from his possession. The only material against him is the statement of co-accused made before police. The said co-accused Ganesh Kihsku has been enlarged on bail *vide* order dated 07.09.2020 passed in Cr. Misc. No. 16063 of 2020. The petitioner is in custody since 29.08.2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., no incriminating article having been recovered from the petitioner's possession and the petitioner having remained in custody for 8 months, the petitioner is directed to be enlarged on bail in connection with Banka P. S. Case No. 693 of 2019, 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 1st, Banka.

(Partha Sarthy, J)

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