

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68434 of 2021

Arising Out of PS. Case No.-205 Year-2021 Thana- PARSA District- Saran

SATENDRA RAI S/o Pukar Rai Resident of Village- Pojhi, P.S.- Derni, Distt- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kumari
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2022 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Paras P.S. Case No. 205 of 2021, registered for the offence punishable under Section 379 of the Indian Penal Code.

The allegation is regarding the informant having parked his motorcycle on the side of the road, whereafter he had gone to purchase medicines, however, when he came back, the motorcycle was missing and the same had been stolen.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 26.6.2021. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any stolen motorcycle has been recovered from his possession or from his house and he has been implicated in the present case merely on suspicion inasmuch as he is an accused in three other similar type of cases in which he is on bail. The learned counsel for the petitioner has also referred to the seizure list, annexed to the FIR, to show that the recovery of one motorcycle is stated to have been made from chowk situated under the Parsa Police Station, however, the same does not depict recovery of the motorcycle from the possession of the petitioner.

Per contra, 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 learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the stolen motorcycle has been recovered from the possession of the petitioner nor from his house and moreover, the petitioner is languishing in custody since about nine months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IX Saran at Chapra in connection with Parsa P.S. Case No. 205 of 2021.

(Mohit Kumar Shah, J)

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