

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68663 of 2021**

Arising Out of PS. Case No.-213 Year-2021 Thana- PAKARIBARAW District- Nawada

Sidharth Chauhan S/o Rajo Chauhan R/o village- Jilwariya, P.S.-
Pakribarawan, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 05-05-2022 Heard.

The petitioner seeks regular bail in connection with Pakribarawan P.S. Case No. 213 of 2021, registered for the offence punishable under section 379 of the Indian Penal Code.

The case of the prosecution in brief is that the petitioner along with his neighbour had gone on his motorcycle to his relative's place and on the alleged date and time of occurrence, while he was returning back to his house along with his neighbour and had stopped the motorcycle for the purposes of easing himself, two persons had arrived there and had fled with the motorcycle of the informant. During the course of investigation it has transpired that the co-accused person namely Ranjit Chouhan, is the main kingpin, who upon being arrested and interrogated had named the petitioner to be his accomplice



and had disclosed that he had sold the motorcycle to one Rahul Kumar Yadav.

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 01.08.2021. The learned counsel for the petitioner has further submitted that the looted motorcycle has not been recovered from the possession of the petitioner, hence the petitioner is not having any complicity in the matter.

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 parties and taking into account the materials available on record as also considering the fact that neither stolen motorcycle has been recovered from the possession of the petitioner nor from his house and moreover, he is in custody since about nine months, 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-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of



the learned court of J.M. 1st Class, Nawada in connection with
Pakaribarawan P.S. Case No. 213 of 2021.

(Mohit Kumar Shah, J)

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