

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69187 of 2021

Arising Out of PS. Case No.-107 Year-2015 Thana- PARSABAZAR District- Patna

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LAVKUSH KUMAR Son of Late Badri Sao @ Kishori Saw Resident of
Village - Karpi, P.S. - Karpi, District - Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Parsa
Bazar P.S. Case No. 107 of 2015 registered for the offence
punishable under Section 379 of the Indian Penal Code 1860.

As per the prosecution case, motorcycle of the
informant which was parked in his house was found stolen.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and his name has transpired on the basis of confessional
statement of co-accused Dharmendra Ram @ Lalwa and except
confessional statement no material is there against the petitioner.
Referring to the impugned order learned counsel submits that
recovery of the alleged stolen motorcycle was incorrectly shown



from the possession of the petitioner and the petitioner was falsely implicated in the Karpi P.S. Case no.139 of 2015 wherein he has been enlarged on bail. He next submits that similarly situated co-accused Dharmendra Ram @ Lalwa has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 57531 of 2021. The petitioner is in custody since 31.3.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that name of the petitioner has transpired on the basis of confessional statement of co-accused, similarly situated person has been granted bail, he is in custody since 31.3.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VIII, Patna, in connection with Parsa Bazar P.S. Case No. 107 of 2015.

(Anil Kumar Sinha, J)

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