

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69599 of 2021

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

1. RANJIT CHAUHAN @ RANJEET CHAUHAN S/o Laxman Chauhan R/o village- Jhilwariya, P.S.- Pakribarawan, District- Nawada
2. AJIT CHAUHAN @ AJEET CHAUHAN S/o Lala Chauhan R/o village- Jhilwariya, P.S.- Pakribarawan, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek 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 informant 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 , petitioner no. 1, namely Ranjit Chouhan, was arrested and interrogated and he is stated to have confessed his crime and had disclosed that he had sold the motorcycle to one Rahul Kumar Yadav.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having a clean antecedent and they are languishing in custody since 1.8.2021. The learned counsel for the petitioners has further submitted that firstly, the petitioners have not been alleged to have either snatched or stolen the motorcycle in question and secondly, the looted motorcycle has not been recovered from the possession of the petitioners and the same has been recovered from a place situated in front of the house of the co-accused person, namely, Rahul Kumar, hence, it is submitted that



the petitioners are not having any complicity in the matter. Lastly, it is submitted that co-accused persons have already been granted bail by coordinate Benches of this Court vide order dated 5.5.2022 passed in Criminal Miscellaneous No. 68663 of 2021 and Criminal Miscellaneous No. 68965 of 2021.

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 petitioners 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 petitioners nor from their house and moreover, they are languishing in custody since 1.8.2021, apart from the fact that they are having a clean antecedent, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Nawada in connection with Pakaribarawan P.S. Case No. 213 of 2021.

(Mohit Kumar Shah, J)

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