

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4034 of 2023

Arising Out of PS. Case No.-969 Year-2022 Thana- AHYAPUR District- Muzaffarpur

1. Rahul Kumar @ Rahul Kar S/O Wakil Sahani @ Wakil Sahni R/O- Ramdas Math, Majhauria @ Majhauri, Ward No. 02, P.S.- Bochahan, District- Muzaffarpur
2. Prakash Sahni @ Prakash S/O Etwari Sahani @ Etwari Sahni R/O- Ramdas Math, Majhauria @ Majhauri, Ward No. 02, P.S.- Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under section 414 of the Indian Penal Code.

As per prosecution case, informant alleged that when he was on patrolling duty, he apprehended the petitioners and seized one motorcycle and when document in respect of said vehicle was demanded from them, they could not produce any valid document.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case on the basis of suspicion. Petitioners have not been put on TIP. It is further submitted from para-10 of this petition that petitioners were apprehended by the police on 26.10.2022 at 04:00 A.M. but the seizure list was prepared at 10:10 A.M., which itself shows that so called eye witness of seizure list was not present at the place occurrence and at the time of raid. Petitioners are languishing in judicial custody since 27.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Ahiyapur P.S. Case No. 969 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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