

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4100 of 2023

Arising Out of PS. Case No.-78 Year-2021 Thana- ARER District- Madhubani

ANKESH MAHTO Son of Mahesh Mahto Resident of village - Sothgoan,
P.S.- Harlakhi, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 379 of the Indian Penal Code.

Prosecution case relates to theft of motorcycle of the informant bearing registration no. BR32AE-4159 by unknown miscreants when it was parked at his door.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather He has falsely been implicated in this case. Neither the petitioner has been put on TI Parade nor any incriminating article has been recovered from his conscious possession. The said motorcycle was recovered



from possession of co-accused namely, Ashok Yadav who confessed the complicity of the petitioner in the alleged offence thereafter, the petitioner was remanded in this case from Arer P.S. Case No. 72 of 2021. No any consistent evident has come against the petitioner during investigation. Moreover, the petitioner is languishing in judicial custody since 29.7.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Arer P.S. Case No. 78 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Benipatti, (Madhubani).

(Sunil Kumar Panwar, J)

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