

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8212 of 2023

Arising Out of PS. Case No.-438 Year-2022 Thana- KOTWA District- East Champaran

JHUNNA SINGH @ JHUNNU SINGH S/O LATE BALIRAM SINGH R/v-
Kurkur Rai Ke Mathiya, P.S.- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 411, 467, 468, 471, 420/34 of the Indian Penal Code.

The prosecution case in nutshell is that two persons (petitioner and co-accused) were apprehended by the villagers near Dipau More, with a motorcycle. On demand they did not produce any valid paper with regard to seized motorcycle bearing registration Number BR-22AS-2372. It is further alleged that from the dicky of said motorcycle,



number plate, two big cutter, one small cutter, steel center punch and other incriminating articles were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner has no concern either with the seized motorcycle or with the seized articles. It is further submitted that one person being owner of a new motorcycle, took money for the motorcycle and when the petitioner asked him to execute the sale documents and to hand over the motorcycle in question, then he asked the petitioner to take another motorcycle, which has been seized in the present case. It is further submitted that informant, being the police official, without testing the veracity of the incident, arrested the petitioner merely on instance of local influence. Moreover, the petitioner is languishing in judicial custody since 03.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kotwa P.S. Case No. 438 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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