

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8720 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- OBRA District- Aurangabad

1. Manish Kumar Son Of Baijnath Paswan Resident Of Village- Mahadeva, Tejpura, P.S.- Obra, District- Aurangabad, Bihar
2. Kamlesh Paswan Son Of Gorakh Paswan Resident Of Village- Mahadeva, Tejpura, P.S.- Obra, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with
Obra P.S. Case No. 493 of 2022 registered for the offence under
Sections 414, 420 of the Indian Penal Code.

Prosecution case relates to recovery of a motorcycle
bearing registration no. BR24P-2405 from house of the petitioner
no.2 and another motorcycle without number plate was recovered
from house of petitioner no.1 which are alleged to stolen
property.

Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. They
have falsely been implicated in this case. It is further submitted
vide para 8 of the petition that the petitioners were not involved



in stealing the alleged motorcycles rather these petitioners are tender aged body who were recently learned to move motorcycles as such they had purchased the second-hand motorcycles from any other persons. But they had not knowledge about registration rules as such did not registre the motorcycles in their name and have falsely been implicated in this case. It is further submitted that it is a case of triable by court of judicial magistrate. Moreover, the petitioners are languishing in judicial custody since 6.12.2022.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Obra P.S. Case No. 493 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad.

(Sunil Kumar Panwar, J)

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