

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12120 of 2023

Arising Out of PS. Case No.-797 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Gajendra Sahani Son Of Munni Lal Sahani R/O Vill.- Kataha Loknathpur,
P.S.- Muffasil Motihari, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 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 sections 465, 468, 471, 414 of the Indian Penal Code.

As per prosecution case, when the informing along with police party were on patrolling duty, one person was seen on a motorcycle was trying to flee away but he was apprehended on spot who disclosed his name as petitioner. After inquiry, it is found that the motorcycle was stolen property and in respect of this, an another case was also filed.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case and nothing has been recovered from his conscious possession. The



petitioner has no concern with the alleged recovery of motorcycle or with this case. It is further submitted vide para-9 of petition that there was situation of pandemonium at the time of occurrence and the petitioner was crossing the road at that time and police has been apprehended him merely on suspicion. This is a case op triable by Court of Judicial Magistrate. Moreover, the petitioner is languishing in judicial custody since 21.10.2022.

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 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 Town P.S. Case No. 797 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., East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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