

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18174 of 2023

Arising Out of PS. Case No.-556 Year-2022 Thana- HARSIDHI District- East Champaran

RAJDEO MAHTO S/O KAPILDEO MAHTO Resident of Village- Murli,
P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 395, 397, 412, 414 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

As per prosecution case, when the informant was going to his house on motorcycle, in the meantime, three unknown persons came and on the point of pistol looted his motorcycle and phone.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. Petitioner is neither named in the FIR nor has apprehended on spot. The



name of the petitioner has come into light, on the basis of confessional statement of co-accused Ashok Kumar and on his confession a motorcycle was recovered from the possession of the petitioner. The co-accused Ashok Kumar disclosed in his confession that he sold said motorcycle to the petitioner in Rs. 5000/-, and according to the statement of co-accused, the petitioner has not participated in the alleged occurrence. He further submitted that petitioner had no knowledge about looted nature of motorcycle and the same was purchased by co-accused and he assured to give Registration Certificate within a few days, but in the meantime, on the basis of suspicion, petitioner was arrested with said motorcycle. The trial of this case is triable by learned Judicial Magistrate. He is languishing in judicial custody since 08.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Motihari, East Champaran in connection
with Harsidhi P.S. Case No. 556 of 2022.

(Sunil Kumar Panwar, J)

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