

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16630 of 2023

Arising Out of PS. Case No.-938 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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1. MANTU MUKHIYA @ MANTU KUMAR S/o Shambhu Mukhiya
Resident of village-Ajagari, P.S. Banjariya, District-East Champaran
 2. SANOJ KUMAR S/o Ram Prasad Mukhiya Resident of village-Ajagari, P.S.
Banjariya, 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.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with
Town P.S. Case No. 938 of 2022 registered for the offence under
Sections 414, 420, 465, 468, 471, 34 of the Indian Penal Code.

As per FIR, the prosecution case relates to recovery of
stolen motorcycle bearing Registration no. BR22AC-7892 and
the petitioners are said to be arrested on spot. After verifying, it
is found that the correct Reg. No. of the aforesaid motorcycle is
BR05AJ-0861 which had been stolen.

Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. They have no concern with the aforesaid stolen motorcycle and they were arrested by the police on the basis of suspicion. It is further submitted that the seizure list witness are police official not a single independent witness which violates the provision of section 100 Cr.P.C. A statement has been made in para-3 of the petition that the petitioner have got no criminal antecedent and languishing in judicial custody since 10.12.2022.

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 Town P.S. Case No. 938 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 C.J.M., Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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