

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16684 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- BETTIAH CITY District- West
Champanan

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Mukesh Sah Son Of Shivshankar Sah R/O Village- Basantpur, P.S.- Sathi,
District- West Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 section 379 of the
Indian Penal Code.

As per prosecution case, informant alleged that on
16.02.2022, his Apache motorcycle which was parked near a
clinic, was stolen by some unknown miscreants.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner is not
named in the FIR but he was made accused in the case during
course of investigation on the pretext that the said motorcycle



along with illicit wine was recovered from the petitioner for which, Manpur P.S. Case No 29 of 2022 was registered. It is further submitted that the said motorcycle was alleged to be recovered in Manpur P.S. Case No. 29 of 2022, but it was not shown recovered from the petitioner's conscious possession. Moreover, the petitioner is languishing in judicial custody since 27.04.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bettiah Town(Kalibagh O.P.) P.S. Case No. 106 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 Judicial Magistrate-Ist class, Bettiah, District West Champaran.

(Sunil Kumar Panwar, J)

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