

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21637 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- CHHATAUNI District- East Champaran

Dhiraj Patel Son Of Motilal Patel Resident Of Village - Gokhula, Ward No.
09, P.S. - Lauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chhatauni P.S. Case No. 17 of 2023 dated 13.01.2023, instituted for the offences punishable under Sections 414/34 of the Indian Penal Code.

3. The prosecution case in short is that on 13.01.2023, at about 7:20 pm, the informant while patrolling at NH-28 main road stopped a black motorcycle, ridden by co-accused and the petitioner, who failed to produce requisite documents of motorcycle. It is further alleged that on being search, the informant found one mobile phone with two SIM card, keys of two motorcycle from the pocket of the petitioner



and dagger from the pocket of the co-accused and all the recovered things along with the motorcycle were seized.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that no any incriminating article has been recovered from the conscious possession of the petitioner and the alleged motorcycle was recovered from the possession of co-accused Raju Kumar, who was said to be the driver of the motorcycle. The petitioner had no concern with the alleged motorcycle and he was not aware with the fact that, the motorcycle in question was stolen or not. Further it is submitted that there is no case filed against the alleged motorcycle and the motorcycle was without any number plate. Lastly, it has been submitted that the petitioner is in custody since 14.01.2023, has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran in Chhatauni P.S. Case No. 17 of 2023.

(Khatim Reza, J)

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