

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24062 of 2023

Arising Out of PS. Case No.-761 Year-2022 Thana- DHAKA District- East Champaran

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PINTU @ PINTU KUMAR Son of Shivnath Patel @ Syamnath Patel
Resident of village-Chainpur, Dhaka, P.S.-Dhaka, District-East Champaran
... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Dhaka
P.S. Case No. 761 of 2022 registered for the offence under
Section 379 and 411 of the Indian Penal Code.

The case of the prosecution, in brief, is that in the
night of 26-12-2022 after parking his motorcycle in gallery, the
informant went inside his house. Thereafter, at about 02:00
A.M. hearing some noise, when informant woke up he did not
find his motorcycle in gallery and he saw that 3-4 persons are
taking away his motorcycle. On alarm and with the help of
nearby persons one of them was apprehended, who disclosed his
name was Hariom Kumar and others succeeded in fleeing away.
He further disclosed the name of his associates as Pintu
(petitioner-accused), Bullet and Mahavir, who succeeded in
fleeing away. Thereafter, apprehended person was handed over
to police and F.I.R. was lodged against all the accused persons.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to high handedness of Police and nothing has been recovered from the possession of the petitioner and the petitioner is in custody since 30.01.2023.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahna in connection with Dhaka P.S. Case No. 761 of 2022.

The petitioner will visit Dhaka Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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