

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29923 of 2023

Arising Out of PS. Case No.-977 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

Praveen Kumar, Son of Suresh Mahto, Resident of Village- Chailaha, P.S.-
Banjariya, Distt- East Champaran, Motihari

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Nagar P.S. Case No.977 of 2022 registered for the offences
punishable under Sections 414, 465, 468, 471 and 483 read with
34 of the Indian Penal Code.

The accused/petitioner is named in the FIR and is
in custody since 24.12.2022.

Allegation against the petitioner is to have in
possession of one motorcycle bearing Registration No.B-05K-
714 alleged to be stolen, as petitioner failed to produce the
relevant documents in support of ownership.

It is submitted by learned counsel that petitioner
has been falsely implicated with present case merely on the



basis of suspicion out of his criminal antecedents as he found involved in four more criminal cases, where he is on bail in all four cases. It is submitted that similarly situated co-accused, namely, Abhishek Kumar and Pintu Kumar have already granted bail by learned co-ordinate Bench of this Court vide order dated 23.05.2023 passed in Cr. Misc. No.25086 of 2023. It is submitted that seizure list is not supported by independent witnesses rather by police personnel, creating a further doubt. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to the petitioner.

In view of above-mentioned facts and circumstances and by taking note of fact as seizure list is not supported by independent witnesses, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.12.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, East Champaran, Motihari in connection with Nagar
P.S. Case No.977 of 2022, subject to the conditions as laid down
under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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