

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28509 of 2023**

Arising Out of PS. Case No.-82 Year-2023 Thana- GOVINDGANJ District- East Champaran

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Rakesh Kumar Son Of Vijay Patel Resident Of Village Loknathpur, Ps-  
Govindganj, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Md.Iftekhar Mahmood, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      04-08-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with  
Govindganj P.S. Case No.82 of 2023 registered for the offence  
under Section 414 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is  
in custody since 11.02.2023.

4. The allegation against the petitioner is to have in  
possession of one stolen motorcycle bearing registration no. BR  
28 J 6831.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with present case as alleged motorcycle was found parked in front of the house of this petitioner, where petitioner not appears connected in any manner with the said motorcycle. It is submitted that the place, where alleged motorcycle was parked is an open place and easily accessible by general public. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as alleged stolen motorcycle appears to be recovered from an open place i.e., in front of the house of this petitioner, who is a man of clean antecedent, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.02.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Govindganj P.S. Case No.82 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in Govindganj/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

S.Tripathi/-

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