

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31229 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- BAKHTIYARPUR District- Patna

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VIKKI KUMAR S/O Mahendra Yadav Village- Hiyadatpur P.S.- Salimpur,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kameshwar Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 06-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 64 of 2023 registered for the offence
under Section 414/420 of the Indian Penal Code.

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

The allegation against this petitioner is to have in



possession of one stolen motorcycle, as he failed to produce the relevant documents in support of his ownership on demand of informant, who is an ASI, Bakhtiyarpur, District- Patna.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of motorcycle appears to be made from an open place and just to implicate false reason “as to run away living the motorcycle” was raised without having any occasion. It is submitted that even the seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of the fact as alleged motorcycle recovered from an open place, where petitioner 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 the petitioner, above named, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case



No. 64 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 Additional Chief Judicial Magistrate-III, Barh, District- Patna/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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