

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30883 of 2023

Arising Out of PS. Case No.-961 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

ANKAJ MALLICK Son of Kailash Mallik Resident of Mohalla - Housing
Board Colony, Mushari, P.S.- Kotwali (Barari), District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakritita Sharma, Adv.

For the Opposite Party/s : Ms. Madhuri Lata,APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-07-2023 Heard Mr. Prakritita Sharma, learned counsel for the
petitioner and Ms. Madhuri Lata, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Kotwali (Barari) PS Case No. 961/2022 dated 16.10.2022
registered for the offence punishable under sections 413, 414/34
of the IPC.

3. As per First Information Report, the petitioner was
apprehended with one stolen motorcycle and on his disclosure
two motorcycles have also been recovered.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case. He further
submits that at the time of seizure the petitioner was not having



papers of the motorcycle which was seized from his possession before he has been made accused in the present case. However, two other motorcycles, which have been recovered by the police, allegedly, on the disclosure of the petitioner were not recovered in his presence and at the time of search and seizure the procedure was not properly followed. He next submits that petitioner is in custody since 16.10.2022.

5. Having regards to the submissions made by the parties, taking into consideration the material on record and the fact that the petitioner is in custody since 16.10.2022, I am inclined to grant regular bail to the petitioner *after the charge is framed* in the matter.

6. Accordingly, let the petitioner, ANKAJ MALLICK be released on bail, *after framing of charge*, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Barari) PS Case No. 961/2022.

(Anil Kumar Sinha, J)

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