

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36471 of 2023

Arising Out of PS. Case No.-1173 Year-2022 Thana- KHAJANCHI HAT District- Purnia

PAPPU MALLIK Son of Putul Mallik Resident of village - Kehuniya Ward
No.- 15, P.S.- Pranpur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with K.Hat (Maranga) P.S. Case No. 1173 of 2022 dated 05.11.2022 registered for the offences punishable u/ss 401, 413, 414, 379 and 411 of the Indian Penal Code and sections 25 (1-B) A, 26 and 35 of the Arms Act.

As per the prosecution case, three stolen motorcycles were recovered from the house of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Rahul Kamti who has already been granted bail by this court *vide* order dated 24.05.2023 passed in Cr. Misc. No. 26101 of 2023. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got six criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 05.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with K.Hat (Maranga) P.S. Case No. 1173 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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