

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36488 of 2023

Arising Out of PS. Case No.-814 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Raja Thakur Son Of Vijay Thakur Resident Of Muhalla - Sri Krishna Nagar,
P.S. - Town Motihari, Distt. - East Champaran. Petitioner/S
Versus

The State of Bihar. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

3. The petitioner seeks regular bail in connection with
Motihari Town P.S. Case No. 814 of 2022 registered on
26.10.2022 lodged under Sections 379, 411, 34 of the I.P.C.

4. As per the prosecution case, F.I.R. has been lodged
against two named accused persons excluding the petitioner.

5. Counsel for the petitioner submits that name of the
petitioner has been figured in this case by the virtue of
confessional statement of the co-accused and on his confessional
statement the recovery of motorcycle, subject to theft, was made
from the possession of the petitioner.

6. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 27.10.2022 having one criminal case pending

against him, in which he is on bail. Counsel submits that the said motorcycle which was recovered from the petitioner's house, was kept in good faith of the other co-accused person and there is no involvement of the petitioner in the said crime. Counsel further submits that the above said case is Magisterial Triable.

7. Learned counsel for the State opposes the prayer for bail and submits that the said motorcycle, which was subject of theft, was recovered from the house of the petitioner.

8. In the present facts and circumstances of this case, considering the period of custody and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 814 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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