

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38607 of 2023

Arising Out of PS. Case No.-251 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

=====

Vikram Kumar Son of Ramu Patel @ Ramu Raut Mohalla- Miscot Ramna Ps-
Motihari Town Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Opposite Party/s : Ms.Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2023 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

Motihari Town P.S. Case No. 251 of 2023 registered for the

offence under Section 394 of the Indian Penal Code.

3. The accused/petitioner is not named in the F.I.R.

and is in custody since 26.03.2023.

4. The allegation against the petitioner is to commit

robbery alongwith other unknown co-accused persons and while

committing so taken away cash of Rs. 7,000/- and motorcycle

belongs to informant.

5. Learned counsel appearing on behalf of the

petitioner submitted that the name of petitioner surfaced during



the course of investigation on the basis of confessional statement of co-accused, namely Ajmat Khan @ Tharu, who also appears in this case on the basis of confessional statement of another co-accused, namely Taslim Sheikh. It is further submitted that alleged looted motorcycle, which was recovered from this petitioner is not appearing convincing on its face as petitioner is in custody since 26.03.2023, whereas as per seizure list motorcycle was recovered on 30.03.2023, from an open place near to the shop of one, Nanhe Khan. 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 looted motorcycle not appears to be recovered from the physical possession of this petitioner, rather from an open place, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 26.03.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Motihari Town P.S. Case



No. 251 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, East Champaran, Motihari/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

