

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38306 of 2023

Arising Out of PS. Case No.-1169 Year-2022 Thana- KHAJANCHI HAT District- Purnia

RAHUL KAMTI @ RAHUL KUMAR KAMTI Son of Late Manoj Kamti
Resident of village - Harda Bazar, P.S.- K. Hat (Maranga), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 379 of the Indian Penal
Code.

As per allegation in the FIR, informant parked his
motorcycle at gate no. 1 of court premises and after 15 minutes
he found his motorcycle missing then an FIR was registered
against unknown persons.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Neither
the petitioner is named in the FIR not put on TIP. There is no
eye witness of the alleged occurrence. Nothing has been
recovered from his conscious possession. Provision of Section



100 CR.P.C. has not been followed by the police officials while preparing the seizure list. This case is triable by judicial magistrate. Petitioner was arrested in K.Hat PS Case No. 1173 and from there he has remanded in this case and since then he is in custody.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in connection with K. Hat P.S. Case No.1169 of 2022.

(Sunil Kumar Panwar, J)

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