

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43505 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Gulshan Kumar Son Of Sri Pitamber Mandal Resident Of Village - Belatikar,
P.S.- Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek
For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 379 and 411
of the Indian Penal Code.

Prosecution case in short, is that, the informant parked
his bike in the street beside SBI life bank and went to do his
work. After, he returned, he saw that the petitioner was taking
away his bike. Thereafter after some noise and with the help of
local people he was caught.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on suspicion. It is
further submitted from para-9 of this petition that the informant



had lost his motorcycle's key for which he called the petitioner from the garage of Akhilesh Kumar to unlock his bike and then the petitioner unlocked his bike with the help of instrument. When the petitioner demanded for his wages then the informant did not pay his wages thereafter some disputes created between them. It is also submitted that after disputes, the informant called police and falsely implicated the petitioner in this case. Moreover, he is languishing in judicial custody since 17.02.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwali P.S. Case No. 174 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

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