

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44065 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Rahul Sahani S/O Late Rambhu Sahani R/O Village- Belbanwa, Ps. Town,
Dist. East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 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 414,
420, 465, 468, 471 of the Indian Penal Code.

As per prosecution case, the co-accused, namely,
Md. Akbar Ali was apprehended on the spot and he
confessed that the petitioner was repairing stolen
motorcycle in his garage.

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 the basis of



confessional statement of co-accused which is not admissible in the eye of law. Neither the petitioner was apprehended on the spot nor stolen motorcycle has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 26.05.2023.

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 Motihari Town P.S. Case No. 105 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., East Champaran at Motihari.

(Sunil Kumar Panwar, J)

Manishkumar/-

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