

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45181 of 2022

Arising Out of PS. Case No.-203 Year-2022 Thana- DUMRA District- Sitamarhi

DINESH MAHTO SON OF NAGENDRA MAHTO R/O VILLAGE-
LAGMA WARD NO. 11, P.S.- DUMRA, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Dumra PS case no. 203 of 2022 instituted for the offences punishable under Sections 413, 414/34 of the Indian Penal Code.

The informant along with his police force had recovered two stolen motorcycles, which were parked in front of the house of the petitioner and after the petitioner was arrested and interrogated, he had disclosed that the stolen motorcycles belong to the co-accused person namely Raja Kumar, who was later on apprehended from the tea stall of the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 16.05.2022. The



learned counsel for the petitioner has further submitted that the petitioner is accused in two other cases but he is on bail in the said cases. It is also submitted that the motorcycles in question belong to the co-accused person namely Raja Kumar and in fact, the stolen motorcycles have not been recovered from within the house of the petitioner, hence, the petitioner has got no complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the stolen motorcycles have not been recovered from inside the house of the petitioner, I deem it fit and appropriate to direct for release of the petitioner on bail, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra PS case no. 203 of 2022.

(Mohit Kumar Shah, J)

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