

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45634 of 2022

Arising Out of PS. Case No.-309 Year-2022 Thana- GHORASAHAN District- East
Champaran

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RAUSHAN KUMAR Son of Vindeshwari Sah @ Vindeshwar Sah Resident
of Village - Shreepur, Kasba P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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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 Ghorasahan PS case no. 309 of 2022
instituted for the offences punishable under Sections 413,
414 of the Indian Penal Code.

The allegation is regarding the informant
along with police force having arrived at the alleged place
of occurrence on 07.06.2022 at about 7.30 in the evening,
whereupon, the petitioner was apprehended with one
motorcycle.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in



the present case, he is having a clean antecedent and is languishing in custody since 08.06.2022. The learned counsel for the petitioner has further submitted that there is no compliance of Section 100 Cr.P.C., while preparing the seizure list and moreover, the petitioner was merely standing near the motorcycle in question, which has been alleged to be a stolen motorcycle, hence, the petitioner is not having any 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 there is violation of Section 100 Cr.P.C. while preparing the seizure list apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since more than 06 months, I deem it fit and appropriate to release the petitioner on regular 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 court of A.C.J.M.



IIIrd, Sikrahana at Dhaka, Motihari, East Champaran in
connection with Ghorasahan PS case no. 309 of 2022.

(Mohit Kumar Shah, J)

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