

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48947 of 2023

Arising Out of PS. Case No.-42 Year-2017 Thana- CHAUSA District- Madhepura

SUDISH KUMAR SON OF BASUDEV SHARMA @ BASUDEO SHARMA @ BASO SHARMA RESIDENT OF VILLAGE- GHUNSAHA TOLA,- BUDHAVE, PS- SINGHESHWAR, DIST-MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Section 379 of the Indian Penal Code.

3. As per prosecution case, the informant was parked his two motorcycles at his door in locked condition and after taking meal slept in the house. It is further alleged that when he woke up in the morning, he found that his one motorcycle was not there. The informant suspected that the alleged motorcycle



has been stolen by unknown miscreants.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of other co-accused, who apprehended in another case disclosed the name of the petitioner, which has got no evidentiary value in the eyes of law. On the basis of suspicion and due to his criminal antecedents, he has been falsely implicated in this case by the police. No incriminating article/stolen article has been recovered from the possession of the petitioner. He is languishing in judicial custody since 01.09.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with
Chausa P.S. Case No. 42 of 2017.

(Sunil Kumar Panwar, J)

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