

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49613 of 2023

Arising Out of PS. Case No.-227 Year-2023 Thana- HARSIDHI District- East Champaran

SUBHASH SAHANI @ SUBHASH KUMAR CHAUDHARY Son of
Ramsagar Sahani Resident of Village-Kobeya Kanhi Tola, P.S.-Harsidhi,
District-East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-12-2023 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 Sections 413, 414, 353 and 427
of the Indian Penal Code.

3. The allegation against the petitioner is that from his
house a stolen motorcycle has been recovered.

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 has not been apprehended on
spot. He submitted that so far recovery of motorcycle is
concerned, has been recovered from the house of the petitioner,
where the petitioner's relation have been living jointly and the



said house is not in exclusive possession of the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The trial of this case is triable by learned Judicial Magistrate. Petitioner has been remanded in this case on 01.05.2023 and since then he is languishing in judicial custody.

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 C.J.M., Motihari, East Champaran in connection with Harsiddhi P.S. Case No. 227 of 2023.

(Sunil Kumar Panwar, J)

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