

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57475 of 2023

Arising Out of PS. Case No.-641 Year-2022 Thana- BAGHA District- West Champaran

KANHAIYA MAHATO Son of Sh. Gaya Mahato Resident of Bahuarwa, P.S.
- Shanichari (O.P.), Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Bagaha (Patkhauri) P.S. Case no. 641 of 2022 registered under section 379 of the Indian Penal Code to which sections 401 and 34 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states that he had parked his motorcycle and had gone for some Court work. On returning, he found his motorcycle to have been stolen by unknown accused persons.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. The FIR was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of a co-accused made before the police. No



incriminating article has been recovered from the petitioner's possession, he is in custody since 12.1.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the name of the petitioner transpiring in the confessional statement of a co-accused made before police, no incriminating article having been recovered from the petitioner's possession, the petitioner having remained in custody since 12.1.2023 and charge-sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bagaha (Patkhauli) P.S. Case no. 641 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran.

(Partha Sarthy, J)

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