

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50033 of 2023

Arising Out of PS. Case No.-700 Year-2022 Thana- BAGHA District- West Champaran

Kanhaiya Mahto Son Of Sh. Gaya Mahto R/O-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

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, the motorcycle of the informant bearing Registration No. BR22AJ-9094 is alleged to have theft by unknown miscreants which was parked by the informant at Vakalatkhana.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case due to which criminal antecedents. His name was transpired in this case on the basis of confession



made by co-accused namely, Dilip Kumar before police which has got no evidentiary value in the eye of law. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 23.1.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Bagaha (Patkhauri) P.S. Case No. 700 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Bagaha, West Champaran.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

