

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53960 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- KATORIYA District- Banka

SHIV SHANKAR TUDU SON OF RAGHUNANDAN TUDU RESIDENT
OF VILLAGE- MAHADEO STHAN, POLICE STATION- AMARPUR,
DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 467, 468, 471, 414 of
the Indian Penal Code.

3. As per F.I.R., the petitioner along with two accused
persons apprehended by the police with a motorcycle bearing Reg.
No. JH15Z-7638 and on inquiry about the document of said
motorcycle they failed to produce any document for the same.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. In fact, the
petitioner is friend of co-accused Sanjay Hembram and he riding
on motorcycle on good faith that he knows that the alleged
motorcycle belongs to Sanjay Hembram. This case is triable by the



court of Judicial Magistrate. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The other co-accused anemly, Md. Imtiyaz has already been granted bail by another co-ordinate Bench of this Court vide order dated 11.10.2023 passed in Cr. Misc. No. 57887 of 2023. Petitioner is languishing in judicial custody since 11.05.2023.

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 Chief Judicial Magistrate, Banka/Successor Court, Banka in connection with Katoriya P.S. Case No. 164 of 2023.

(Sunil Kumar Panwar, J)

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