

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54451 of 2023

Arising Out of PS. Case No.-149 Year-2023 Thana- DEV District- Aurangabad

1. Sonu Kumar son of Satyendra Chaudhary, resident of Village- Bishambharpur PS- Kasma Dist- Aurangabad (Bihar).
2. Vikash Kumar son of Late Saheb Chaudhary, resident of village- Mahuawa Chati PS- Madanpur Dist- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 420, 414, 465, 468, 34 of the Indian Penal Code.

It is a case of recovery of stolen motorcycle bearing Reg. No. BR26W1207 and petitioners were apprehended on the spot along with other accused person.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and committed no offence. They have falsely been implicated in the present case on the basis of



suspicion and due to dirty village politics. The seized motorcycle does not belong to the petitioners. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. This case is triable by the court of learned Judicial Magistrate. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. It is also submitted that petitioners are languishing in judicial custody since 21.06.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Deo P.S. Case No.149 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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