

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55060 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- BHAPTIAHI District- Supaul

1. Pradeep Kumar Paswan S/O Late Bhusan Paswan R/O Village- Gospur Patokha, P.S- Birpur, Distt.- Supaul.
2. Chunchun Paswan S/O Late Tribhuwan Paswan R/O Village- Mathura Uttar, P.S- Fulkaha, Distt.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 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 379, 411, 120(B)/34 of the Indian Penal Code.

As per prosecution case, it is case of theft of informant's motorcycle bearing Reg. No. BR50Q-2677 by unknown miscreants.

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



suspicion. The petitioners are not named in the F.I.R. and F.I.R. has been lodged after the delay of one week without giving proper explanation of delay. Their names have been transpired in this case on the basis of confessional statement of co-accused Santosh Kumar. Save and except confessional statement of co-accused, no other consistent material has come against the petitioners which shows their complicity in the present occurrence. It is further submitted in para 11 of the petition that the alleged motorcycle was recovered from the Degree College Chowk and for which a Supaul P.S. Case No. 1007/2022 was instituted in which the petitioners have already been granted bail by another co-ordinate Bench of this Court vide order dated 22.05.2023 passed in Cr. Misc. No. 23454 of 2023. The instant case also related to the said stolen motorcycle. Moreover, the petitioners are languishing in judicial custody since 06.12.2022.

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 Bhaptiyahi P.S. Case No.



130 of 2022 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 J.M. 1st Class, Supaul.

(Sunil Kumar Panwar, J)

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