

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56358 of 2023

Arising Out of PS. Case No.-904 Year-2022 Thana- DIGHA District- Patna

Milan Kumar Son Of Ram Balak Rai Resident Of Village- Saraiya Sao, PS-
Dariyapur, Distt- Saran At Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Digha P.S. Case No. 904 of 2022, lodged on 25.12.2022 under
Sections 414, 406, 420, 467, 468, 471, 34 of the Indian Penal
Code.

3. As per the prosecution, the informant along with
other constables who was on patrolling duty, reached at Kurji
Nala and found three persons were standing with Splendor
motorcycle in suspicious condition. Police party arrested all the
three accused persons and on search, police found that every
person has six inches screw of iron in T-shape with him. Upon
query, they have disclosed that they had come with a view to
steal motorcycle. It has also been disclosed by all the three



accused persons that they used to steal motorcycle and take to Dariyapur where mechanic of motorcycle, namely, Vishal Kumar used to fit the parts of stolen motorcycle into another motorcycle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner's name has figured in this case by virtue of disclosure made by the co-accused, namely, Vishal Kumar. Counsel submitted that there are three antecedents against the petitioner and he is in custody since 27.12.2022.

5. Learned counsel for the State opposes the prayer for bail and submits that his involvement in commission of such crime is already mentioned in various paragraphs and case diary which indicates in the rejection order passed by Additional Sessions Judge-III, Patna.

6. In the present facts and circumstances, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner in connection with Digha P.S. Case No. 904 of 2022, pending before the learned ACJM 13th, Patna is hereby rejected.

8. However, the petitioner would be at liberty to renew the prayer for bail after framing of charge. In the event, if



the charge has already been framed, the petitioner is directed to be released on bail by the learned Court below by imposing its own condition so that the petitioner may not evade appearance on the date fixed.

9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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