

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58269 of 2022

Arising Out of PS. Case No.-151 Year-2022 Thana- PIPRAHI District- Sheohar

1. RAJ KISHORE THAKUR Son of Late Dasai Thakur R/V- Khaurawa, P.s-
Punaura, Dist- Sitamarhi
2. Pankaj Kumar @ Santosh Son of Raj Kishore Thakur R/V- Khaurawa, P.s-
Punaura, Dist- Sitamarhi
3. Deepak Kumar Son of Raj Kishore Thakur R/V- Khaurawa, P.s- Punaura,
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-02-2023 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek regular bail in connection with Piprahi PS case no. 151 of 2022 instituted for the offences punishable under Section 379 and other allied sections of the Indian Penal Code.

The allegation is regarding two motorcycles of the informant having been stolen in the night while the same had been parked in front of the house of the informant.

The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in the present case and are languishing in custody since 16.06.2022. The



learned counsel for the petitioners has further submitted that the petitioners no 1 and 2 are accused in two other cases but are on bail in the said two cases whereas the petitioner no. 3 is an accused in one another case, however, he is on bail in the said case. It is also submitted that though the motorcycles, alleged to have been stolen, have been recovered from the garrage of the petitioner no. 2 where the petitioners no. 1 and 3 are working, who are in fact the father and brother of the petitioner no. 2, but the same had been brought to the garrage of the petitioner no. 2 for repairing purposes. In such view of the matter, the petitioners be granted bail since they are not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that stolen motorcycles are alleged to have been recovered from the garrage of the petitioner no. 2 and petitioners no. 1 and 3 are his father and brother, though I am not inclined to grant privilege of bail to the petitioners at the moment, however, I deem it fit and appropriate to direct for their release immediately upon framing of charges by the learned trial court, subject to such conditions as may be deemed fit and



appropriate to be imposed by the learned court of Judicial Magistrate 1st class, Sheohar in connection with Piprahi PS case no. 151 of 2022.

The present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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