

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56639 of 2022**

Arising Out of PS. Case No.-195 Year-2022 Thana- KOCHAS District- Rohtas

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LALLU SAH S/o- Chhote Sah R/o Village- kuchhila, Police Station- Kochas,  
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Nand Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      17-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under section 379 & 411 of  
the Indian Penal Code.

Prosecution case relates to recovery of stolen  
motorcycle bearing registration no. UP67B-4063 from the house  
of petitioner as alleged.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case on the basis of suspicion. A  
statement has been made in para-3 of the petition that the  
petitioner has got no criminal antecedent. The alleged recovery  
has been shown from the house of the petitioner but still in



seizure list, witnesses are police personnel despite independent witness, hence, there is no compliance of section 100 of Cr.P.C. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner came into light on the basis of confession made by apprehended co-accused person. It is further submitted that the petitioner is languishing in judicial custody since 8.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kochas P.S. Case No. 195 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-5-cum-A.C.J.M. Sasaram, District-Rohtas.

**(Sunil Kumar Panwar, J)**

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