

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70490 of 2023

Arising Out of PS. Case No.-522 Year-2022 Thana- RAMNAGAR District- West Champaran

KANHAIYA MAHTO S/O SH. GAYA MAHTO R/O BAHUARWA, P.S-
SHANICHARI (O.P), DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 379, 401, 413 read with Section 34 of the Indian Penal Code.

3. As per allegation in the FIR, the informant parked his motorcycle bearing Reg. No. BR22W4332 in front of house of one Sanjeev Prasad and went to teach students, which has been stolen.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The petitioner is not named in the F.I.R. and F.I.R. has been lodged against unknown. No any incriminating article or



any stolen vehicle has been recovered from his conscious possession. He has been made accused in the present case on the basis of confessional statement of one Dilip Kumar who was arrested in Bagaha (Patkhauli) P.S. Case No. 680 of 2022. The petitioner has not been put on T.I.P. Moreover, he is languishing in judicial custody since 21.01.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court of S.D.J.M., Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 522 of 2022.

(Sunil Kumar Panwar, J)

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