

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68834 of 2023

Arising Out of PS. Case No.-512 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, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramnagar P.S. Case no.512 of 2022 registered under section 379 of the Indian Penal Code.

3. As per the prosecution case, on the informant having parked his motorcycle and gone for some work, it is stated that on his returning, his motorcycle had been stolen by unknown accused persons.

4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. Referring to the order of the learned trial Court rejecting the application for bail of the petitioner, learned counsel submits that the name of the petitioner has been dragged in the case on the basis of the



confessional statement of a co-accused made before police. No stolen motorcycle has been recovered from his possession and he is in custody since 30.1.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made by learned counsel for the petitioner, the material that has transpired in course of investigation which is evident from the order of the learned trial Court rejecting the application for bail of the petitioner, no incriminating article having been recovered from the petitioner's possession who is in custody since 30.1.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Ramnagar P.S. Case no.512 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bagaha, West Champaran.

(Partha Sarthy, J)

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