

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61089 of 2022**

Arising Out of PS. Case No.-405 Year-2022 Thana- MADHAURAH District- Saran

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Dhiraj Kumar Singh @ Abhay Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 20-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Marhowrah P.S. Case No.405 of 2022 registered for the offence
under Sections 467, 468, 471, 420, 414 and 120 B of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.06.2022.

The allegation against the petitioner is to habitually
deal in stolen motorcycles alongwith other co-accused persons
and while dealing so, found in possession of one stolen
motorcycle for which petitioner failed to produce documents on
demand.

Learned counsel appearing on behalf of the petitioner



submitted that the petitioner has been implicated falsely for the reason, as nothing surfaced during the course of investigation, which may suggest that alleged motorcycle was stolen property. It is also submitted that petitioner was pillion rider and he took a lift for local destination as co-accused, namely, Ravi Kumar is in friendly relation with him. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnels. While concluding the argument, it is submitted that as per case diary para no. 61, petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and by taking note of the fact as seizure list appears doubtful being not supported by independent witnesses, where petitioner was a pillion rider coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Marhowrah P.S. Case No.405 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 Chief Judicial Magistrate, Saran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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