

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59303 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- GWALPARA District- Madhepura

Dharmendra Kumar @ Dhanbendra Kumar Son Of Hiralal Yadav @ Hiralal
Mandal R/O Village- Tintanga, P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-02-2023 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 sections 379 of the Indian Penal Code.

Prosecution case relates to theft of informant's motorcycle bearing Registration no. BR-43N-9368 which has been parked the motorcycle at Gwalpara Bazar.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. It is to be alleged that the petitioner fled away from the house in question from where the said motorcycle has been recovered and for this separate case under Udakishunganj P.S. case No. 308 of 2021



has also been filed. It is not proper to lodge two cases for one offence against the petitioner. Neither the petitioner was arrested on spot nor any incrimination article has been recovered from his possession to connect his involvement in this case. The petitioner is languishing in judicial custody since 9.12.2021.

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 Gwalpara P.S. Case No. 152 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura.

(Sunil Kumar Panwar, J)

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