

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68252 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

MUKESH SHARMA Son of Motilal Sharma Resident of Village- Paharpur,
P.S.- Bainkuthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 413, 414/34 of the
Indian Penal Code.

As per prosecution case, there are total seven persons
including the petitioner, who are made accused in this case. The
allegation against the petitioner is that he was helping in the
disposal of theft materials.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case merely on
suspicion. He submitted that three motorcycles have been
recovered from the place of occurrence but the petitioner has no
concern with the seized motorcycles. Petitioner is not indulged



in concealment and stolen articles. Petitioner has implicated in the present case on his self confessional statement before the before, which has got no evidentiary value in the eyes of law. He further submitted that the others co-accused namely, Sunil Kumar and Badri Mahto have already been granted bail by a Co-ordinate Bench vide order dated 18.11.2022/ 25.03.2023 passed in Cr. Misc. No. 44058 of 2022/ 73216 of 2022. He is languishing in judicial custody since 03.06.2022.

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

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 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 C.J.M., Gopalganj in connection with Baikunthpur P.S. Case No. 148 of 2022.

(Sunil Kumar Panwar, J)

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