

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65380 of 2023

Arising Out of PS. Case No.-104 Year-2015 Thana- TARAIYA District- Saran

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Pintu Kumar @ Pintu Kumar Singh S/O Lalan Prasad Singh @ Lalan Singh
R/O Village And P.O.- Taraiya, Ps. Taraiya, Dist. Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Taraiya P.S. Case No. 104 of 2015 dated 01.06.2015 registered for the offence/s punishable u/s 379 read with section 34 of the Indian Penal Code and added section 411 of the IPC.

4. As per the prosecution case, the petitioner and the co-accused person are alleged to have stolen the motorcycle of the informant which was parked.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has



been recovered from the conscious possession of the petitioner. The said motorcycle was recovered from the house of the co-accused Rupesh Kumar. The name of the petitioner has surfaced in this case only because he was seen standing near the said motorcycle. There is a delay of four days in lodging the FIR. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saran at Chapra in connection with Taraiya P.S. Case No. 104 of 2015, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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