

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65586 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- KASMA District- Aurangabad

Umesh Kumar Son Of Girja Prajapati @ Girja Prajpat Village- Simwa, Ps-
Rafiganj, Dist- Aurangabad (Bihar)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 413, 414, 34 of the Indian Penal Code.

3. As per FIR, the petitioner and co-accused persons were apprehended on the spot along with a motorcycle and upon interrogation they did not provide any valid paper of the seized motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of suspicion. As per para-8 of



the bail petition, it appears that the petitioner had purchased the alleged motorcycle from one Uttam Kumar and due to some reasons registration of the motorcycle did not mention in the name of the petitioner. Section 100 of the Cr.P.C., has not been followed while preparing the seizure list. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 18.07.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kasma P.S. Case No. 115 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad.

(Sunil Kumar Panwar, J)

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