

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65683 of 2023

Arising Out of PS. Case No.-280 Year-2023 Thana- PUPRI District- Sitamarhi

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Rahul Kumar @ Rahul Sahni Son Of Akhilesh Sahni Resident Of Village-
Bhkrohiya, P.S.-Pupri, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 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 414 of the
Indian Penal Code.

3. Prosecution case relates to recovery of stolen
motorcycles from the possession of this petitioner along with
other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted from
para-7 of this petition that there is delay of one day in lodging
the FIR without explaining the delay. As the petitioner was
arrested on 02.07.2023 while a typed FIR has been registered on



03.07.2023 and arrest Memo, Seizure Memo was prepared on 02.07.2023, which clearly shows the ill intentions of the police party. This case is triable by the court of learned Judicial Magistrate. Except confessional statement of accused persons which has got no evidentiary value in the eye of law, no any cogent material has come against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pupri P.S. Case No. 280 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 S.D.J.M.(P), Sitamarhi.

(Sunil Kumar Panwar, J)

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