

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61836 of 2022

Arising Out of PS. Case No.-373 Year-2022 Thana- RAMPUR District- Gaya

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Bharat Kumar S/o Awadh Prasad R/o Village- Pathra, P.S.- Guraru, Distt-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-03-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner seeks regular bail in connection with Rampur
P.S. Case No. 373 of 2022 registered for the offences punishable
under Sections 413, 414 and 34 of the Indian Penal Code.

As per the prosecution, the police personnel while
patrolling apprehended this petitioner and from his possession a
stolen motorcycle, lock breaking device and a mobile phone
were recovered.

The main submissions advanced by learned counsel for
petitioner are that no incriminating material has been recovered
from the conscious possession of the petitioner and the
statement of informant regarding seizure of instruments from
possession of the petitioner is false and fabricated and the
seizure list witnesses are police officials and no compliance was

made of the provisions of Section 100 of Cr.P.C. Further submission is that though the petitioner has one criminal antecedent but he has been acquitted in that case and in the instant matter the petitioner has been languishing in jail since 22.07.2022.

Learned APP for the State has opposed the bail prayer.

Considering the above submissions and mainly petitioner's custody period and his young age, in my view, a lenient approach can be taken in respect of petitioner's prayer. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Rampur P.S. Case No. 373 of 2022.

(Shailendra Singh, J)

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