

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66778 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- ASHTHAWAN District- Nalanda

Rishikesh Kumar @ Banda Yadav, S/o Bipat Gop @ Bipat Rai, R/o Village-Saidi, P.S. Noorsarai, District. Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ashthawan P.S. Case no. 105 of 2023 registered under sections 379, 411, 414 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on search being conducted of a motorcycle, the person riding the same namely Bhola Kumar did not show any documents with respect to the vehicle and disclosed that the said motorcycle had been purchased by his brother-in-law (wife's brother) ie the petitioner herein.

4. It is submitted by learned counsel for the petitioner that from the contents of the FIR itself it would be evident that no incriminating article has been recovered from the petitioner's



possession, who has been falsely implicated in the case because of his antecedents. The only material against him is the statement a of co-accused made before police. The petitioner is in custody since 3.5.2023 and investigation in the case has concluded.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the petitioner being in custody for more than 5 months since 3.5.2023, as per the order of the learned trial Court charge-sheet having been submitted in the case, cognizance having been taken and even charge having been framed against the petitioner, the petitioner is directed to be enlarged on bail in connection with Ashthawan P.S. Case no. 105 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Nalanda at Bihar Sharif.

(Partha Sarthy, J)

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